ESTTA Tracking number: **ESTTA502102**

Filing date: **10/25/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200105
Party	Plaintiff NOVOZYMES BIOAG, INC.
Correspondence Address	EDWARD M PRINCE ALSTON BIRD LLP 950 F STREET NW, THE ATLANTIC BUILDING WASHINGTON, DC 20004 UNITED STATES edward.prince@alston.com
Submission	Other Motions/Papers
Filer's Name	Edward M. Prince
Filer's e-mail	edward.prince@alston.com
Signature	/Edward M. Prince/
Date	10/25/2012
Attachments	Motion Under Rule 2.173.PDF (141 pages)(7396674 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Application Serial No. 77/942,162
For the Trademark TORQUE

NOVOZYMES BIOAG, INC.,	)	
	)	
Opposer,	)	Opposition No. 91200105
	)	
v.	)	
	)	
CLEARY CHEMICALS, LLC,	)	
	)	
Applicant.	)	

MOTION UNDER RULE 2.173 OF THE TRADEMARK RULES OF PRACTICE

Opposer, now owner of Reg. No. 3511124, filed October 19, 2007 and registered October 7, 2008, moves to amend the registration as follows:

IN THE STATEMENT,

Change both the date of first use and the date of first use in commerce to -- at least as early as October 19, 2007 -- .

DISCUSSION

In the course of preparing answers to discovery proposed by applicant, opposer has learned certain facts which raise a question as to the accuracy of the dates of first use of the mark TORQUE. While opposer does not have access to all communications, it is believed that the error arose through misinterpretation of information concerning the nature of "first use." The "date of first use for Torque" was obtained by Dawn Murray, a former employee of EMD, who conveyed the information to trademark counsel at Merck,

Helge Erkelenz, who then conveyed the information to William Wright in connection with filing the US application for the mark TORQUE.

Merck actually filed two applications on the mark TORQUE, both through William C. Wright. The first application, Serial No. 77/224,388, was filed on July 9, 2007, under Section 1a, alleging a date of first use in commerce of June 25, 2007. (Exhibit A). The goods covered in this application were natural molecule or bacteria for plant growth enhancement in corn. On information and belief, the date of first use was left blank by Mr. Wright because, on occasion, Merck would use a mark on an earlier date in other countries, such as Canada, Germany or the like, and that information was not available at the time the application was filed. An office action issued on September 10, 2007, (Exhibit B) and was apparently forwarded to Helge Erkelenz by Mr. Wright. The office action required that applicant submit a specimen with verification that it was in use at the time the application was filed and specify the date of first use of the mark anywhere.

On October 14, 2007, Mr. Erkelenz sent Dawn Murray, Marketing Communications Specialist at EMD Crop Bio-Science, an email (Exhibit C) advising that they had received a first official action and requesting that Dawn forward two labels, product packages, etc. which show that the mark is in use for the applied goods "natural molecule or bacteria for plant grown enhancement in corn." Confirmation of use since June 2007 was also requested. Dawn Murray replied by email on October 17 at 4:20 p.m. (Exhibit D) with the statement, "Please note the updated good (sic) and services description. The change is bolded below. Please change any necessary paperwork." The date of first use given in this email was June 25, 2007. The "updated" description of goods read "natural molecule or bacteria for plant growth enhancement in agriculture

crops." Thirty minutes later, Dawn Murray sent a further email replying to the original email from Mr. Erkelenz (Exhibit C) reading in part, "I faxed over the Torque sales sheet and logo – 3 pages. The packaging is not finalized yet, I can fax that over when completed. Let me know if you still need." A copy of the facsimile and attachment are also enclosed. (Exhibit E.)

Since the description of goods could not be broadened, two days later the application which eventually issued into Registration No. 3,511,124 was filed with the new description of goods but also with the same deficiencies objected to in the earlier application – namely, no date of first use and no specimen. Furthermore, the application was not signed. Eventually, an office action issued in the second application, and a response was filed to that office action on May 27, 2008, submitting a date of first use of June 25, 2007 and a substitute specimen label bearing a 2008 copyright date.

Applicant has claimed fraud because the declaration submitting the specimen label stated that the label was in use at the time the application was filed (October 19, 2007) and was currently in use. As pointed out in opposer's Motion to Dismiss, the 2007 specimen label had been replaced by the 2008 specimen label. There were no material differences between the two labels other than the packaging size and the copyright date. The 2008 label was not in use at the time the application was filed, but it was currently in use. Nevertheless, as opposer's attorney investigated this matter further, information came to light which suggested that the date of first use was in error and required change.

BACKGROUND OF ADOPTION AND USE OF MARK TORQUE

Applicant's goods comprise a unique molecule (lipo-chitooligosaccharide), which is commonly abbreviated to "LCO". This molecule is characterized as a crop onput because of the way it turns on vital growth processes independent of soil and weather conditions. Attached Basnight Exhibit 1 provides background material on this unique molecule. The molecule enhances the natural growing process of plants. When applied on-seed or in-furrow, improved root development occurs. With foliar applications, the response is an increase in photosynthesis and sugar production. As explained in Basnight Exhibit 1, the result is a stronger and healthier start for plants with higher yields and better returns at the end of the season. In 2004 Opposer* adopted the mark LCO PROMOTER TECHNOLOGY for these goods and eventually registered the mark with a disclaimer of LCO and PROMOTER. (Exhibit F.)

In 2007 opposer began distributing LCO goods for corn in a soft plastic bag containing 2.5 gallons and weighing 20.8 lbs. which was then packaged in a box (Basnight Exhibit 2) bearing the generic designation LCO-C IF, LCO standing for lipo-chitooligosaccharide, C standing for corn and IF standing for in-furrow. The bag itself had no markings. A specimen label was developed for this product as a display associated with the goods. (Brasnight Exhibit 3). Exhibit 4 is the distributor price sheet for this product put out in February 2007.

As the corn began to sprout from the ground in 2007, it appeared from test tracts that opposer's product was going to be a commercial success. Independent distributors

* Unless otherwise specified "Opposer" collectively covers Merck, its related company EMD Crop BioScience, Inc., and its successor, Novozymes BioAg, Inc.

and salesmen were promoting the product, but the generic name LCO – C IF was a mouthful. (Basnight, § 6.) Eventually, the name TORQUE was suggested and adopted. It is not known specifically who suggested the trademark TORQUE. Based on an electronic file of AdFarm, the name Torque was selected as one of three names for the LCO corn IF product by June 12, 2007. By June 25, 2007, we had prepared a sixth draft (Basnight Exhibit 6) of a product plan for Torque. (Basnight, § 6.)

Presumably, at some point in June 2007 Kristen Zbichorski, marketing director of EMD, requested that its advertising agency, AdFarm, provide an estimate for coming up with creative artwork and direction for the new name, logo and packaging. On June 25, 2007, the estimate was received. (Basnight Exhibit 7). On information and belief, the estimate was requested from AdFarm after the mark TORQUE had been selected because in due course various TORQUE logos were provided by AdFarm (Basnight Exhibit 8). By June 25, 2007, TORQUE was adopted as the new trademark for the LCO-C IF product, and from that point forward EMD, salesmen and distributors started identifying this product by the name and mark TORQUE. (Basnight, § 7).

A presentation on the Torque product was made to salesmen at the North American Sales Meeting on July 24-26, 2007. (Basnight Exhibit 13.) Material from this presentation was subsequently used in sales calls to customers (Basnight, § 9). Collective Basnight Exhibit 14 comprises examples of sales reports submitted by salesmen after visiting customers during August, September and October of 2007, mentioning the Torque product. Sales reports are prepared and submitted by each salesman at the end of each week. The undated Weekly Report of Andy Steinberger was actually for the week of October 20, 2007, with a reference to a visit to Pioneer Hi-

Bred International, Inc. on Thursday (October 18). This weekly report included a Performance Trial Report (Basnight, §9) which he picked up from Pioneer Hi-Bred International, Inc., referencing Torque. (See Basnight Exhibit 14).

Basnight Exhibit 15 comprises pictures used during sales presentations in the summer and fall of 2007 to promote Torque. Basnight Exhibit 16 is an R&D presentation to Ceres Solution on August 16, 2007, extensively discussing TORQUE. Opposer's distributors also made reference to TORQUE. See, for instance, the publication called The Partner, put out by Triangle AG (now West Central AG) in the fall of 2007. (Basnight Exhibit 17.) This was received by Allan Basnight and put in his computer database on September 18, 2007. (Basnight, §10.)

During visits in September to distributors and customers, opposer's salesmen distributed literature relating to this product including specimen labels. The specimen label used by EMD during June, July and August was the LCO-C IF label. While the specimen label used in June – September 22, 2007, did not include the word Torque, from early June 2007 the product was identified as Torque, both internally and externally. (Basnight § 14.) The specimen LCO-C IF label was eventually modified on September 22, 2007, to insert the TORQUE logo on the top line. See Basnight Exhibit 15 and the computer record attached as Basnight Exhibit 16. The only change to the label was to insert the TORQUE logo at the top of the page. This was one of the logos designed by AdFarm. (Basnight, § 12.) The printing date of "0207" at the bottom of the label was not modified nor was the reference to LCO-C IF in the text on the label. Thereafter, the modified TORQUE specimen label was used until replaced by the 2008 TORQUE specimen label. (Basnight, § 12.)

On information and belief, the web site was modified to include the new specimen label as is the custom and a web banner mentioning Torque was prepared by AdFarm for use on distributors' web sites. (Basnight, § 12.) See the attached Web Banner work order issued by AdFarm. (Basnight Exhibit 22.)

The results of in-field tests were being gathered and discussed with customers with the product being referred to as Torque. (Basnight, § 13.) The revised specimen label with the Torque mark was used in late September and early October. (Basnight, § 12.) Customers did not refer to the product as LCO-C IF when discussing the 2007 growing results nor did distributors or salesmen. The product was quickly identified by the name and mark Torque, in major part because the product did not have an acceptable, unique source identifier when first introduced for in-furrow use in the spring of 2007.

Price lists used for distributors and customers referred to Product No. 8300 as Torque. The price lists normally come out in the early fall and are effective on October 1. (Basnight, § 11.) Attached are Basnight Exhibits 18 and 19 comprising 2007/08 price lists, effective October 1, 2007. (Basnight, § 10.)

In short, opposer, its salesmen, distributors and customers by September 2007 were all referring to the product as TORQUE. When salesmen discuss the in-field test with customers, they referred to the product as TORQUE. (Basnight, § 14.) The revised specimen label was used at the end of September and into October. (Basnight, § 12.)

It was concluded that the Torque product in 2008 would comprise two 2.5 gallon bags packaged in a box rather than the one 2.5 gallon bags previously packaged in the

smaller LCO-C IF labeled box. (Basnight, §15.) The new box, Basnight Exhibit 24, was designed and produced in February of 2008 with the Torque logo. A revised specimen label, Basnight Exhibit 25, was prepared and posted on EMD's website. Shipments of products in the Torque box began in February of 2008. (See Basnight Exhibit 26.)

By the time the application for TORQUE was executed on October 19, 2007, the applicant had employed the mark Torque on numerous displays associated with the goods – namely, presentations to customers, pictures of field trials including standing corn and root structure, price lists, and a specimen label. Customer testimonials recognized the success of Torque. The product was being used in multiple states and was identified and distinguished from growth enhancement products of others by the mark Torque. Customers and distributors clearly recognized Torque as an indication of source of the goods.

Respectfully submitted,

Novozymes BioAg, Inc.
By its Attorneys for

By: Edward M. Prince

Edward M. Prince, Esq.
Alston & Bird LLP
The Atlantic Building
950 F Street, NW
Washington, DC 20004
(202) 239-3358

Date: October 25, 2012

Certificate of Service

I hereby certify that on October 25, 2012 a true and correct copy of Motion Under Rule 2.173 of the Trademark Rules of Practice and Declaration of Allan Basnight were served by first-class mail, postage prepaid, with a courtesy email, to counsel for Applicant, Cleary Chemicals, LLC:

Tama L. Drenski
Renner, Kenner, Greive, Bobak, Taylor & Weber
Fourth Floor, First National Tower
Akron, OH 44308-1456
Email: tldrenski@rennerkenner.com

By: Edward M Prince
Edward M. Prince

EXHIBIT A

United States Patent and Trademark Office

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Oct 23 05:20:46 EDT 2012

Logout Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR | ASSIGN Status | TTAB Status *(Use the "Back" button of the Internet Browser to return to TESS)*

TORQUE

Word Mark	TORQUE
Goods and Services	(ABANDONED) IC 001. US 001 005 006 010 026 046. G & S: Natural molecule or bacteria for plant growth enhancement in corn. FIRST USE IN COMMERCE: 20070625
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	**77224388**
Filing Date	July 9, 2007
Current Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Merck KGaA the general partners: Dr. Karl-Ludwig Kley (a German citizen), Dr. Michael Becker (a German citizen), Mr. Elmar Schnee (a Swiss citizen), Dr. Bernd Reckmann (a German citizen), and Mr. Walter W. Zywottek (a German citizen) partnership limited by shares FED REP GERMANY Frankfurter Str. 250 64293 Darmstadt FED REP GERMANY
Attorney of Record	William C. Wright
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	March 11, 2008

EXHIBIT B

To:	Merck KGaA (mail@ipcounselors.com)
Subject:	TRADEMARK APPLICATION NO. 77224388 - TORQUE - N/A
Sent:	9/10/2007 1:38:06 PM
Sent As:	ECOM114@USPTO.GOV
Attachments:	

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/224388

MARK: TORQUE

77224388

CORRESPONDENT ADDRESS:
WILLIAM C. WRIGHT
EPSTEIN DRANGEL BAZERMAN & JAMES, LLP
60 E 42ND ST RM 820
NEW YORK, NY 10165-0808

RESPOND TO THIS ACTION:
http://www.uspto.gov/teas/eTEASpageD.htm

GENERAL TRADEMARK INFORMATION:
http://www.uspto.gov/main/trademarks.htm

APPLICANT: Merck KGaA

CORRESPONDENT'S REFERENCE/DOCKET NO:
N/A
CORRESPONDENT E-MAIL ADDRESS:
mail@ipcounselors.com

OFFICE ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

ISSUE/MAILING DATE: 9/10/2007

The assigned trademark examining attorney has reviewed the referenced application and has determined the following:

Search Results

The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

Specimen

The application is incomplete because it does not include the required specimen showing use of the applied-for mark in commerce for the goods and/or services identified in the application. An application based on Section 1(a) of the Trademark Act must include a specimen showing the applied-for mark in use in commerce for each class of goods and/or services. Trademark Act Sections 1(a) and 45, 15 U.S.C. §§1051(a) and 1127; 37 C.F.R. §§2.34(a)(1)(iv) and 2.56; TMEP §904.

Therefore, applicant must submit the following:

(1) A specimen (i.e., an example of how applicant actually uses its mark in commerce) for each class of goods and/or services based on use in commerce.

(2) The following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: "**The specimen was in use in commerce at least as early as the filing date of the application.**" 37 C.F.R. §2.56(a); TMEP §904.09. If submitting a specimen requires an amendment to the dates of use, applicant must also verify the amended dates. 37 C.F.R. §2.71(c).

Examples of specimens for goods are tags, labels, instruction manuals, containers, photographs that show the mark on the goods or packaging, or displays associated with the goods at their point of sale. TMEP §§904.04 *et seq*. Examples of specimens for services are signs, photographs, brochures, website printouts or advertisements that show the mark used in the sale or advertising of the services. TMEP §§1301.04 *et seq*.

If applicant cannot satisfy the above requirements, applicant may amend the Section 1(a) filing basis (use in commerce) to Section 1(b) (intent to use basis), for which no specimen is required. However, should applicant amend the basis to Section 1(b), registration cannot be granted until applicant later amends the application back to use in commerce by filing an acceptable allegation of use with a proper specimen. 15 U.S.C. §1051(c); 37 C.F.R. §§2.76, 2.88; TMEP Chapter 1100. In the alternative, applicant may cancel the Section 1(a) basis and rely solely on the already asserted Section 44(e) basis, for which a specimen would not be required. 15 U.S.C. §1126(e); 37 C.F.R. §2.34(a)(3).

In order to amend the Section 1(a) basis to either Section 1(b) or Section 44(e) of the Trademark Act, applicant need only provide a written request to do so. TMEP §§806.02(g) and 806.03(g).

Pending a proper response, registration is refused for those goods and/or services based on Section 1(a), because applicant has not provided evidence of use in commerce of the applied-for mark. 15 U.S.C. §§1051(a) and 1127; 37 C.F.R. §§2.34(a)(1)(iv) and 2.56.

First Use Anywhere

The application does not specify the date of first use of the mark anywhere. 15 U.S.C. §1051(a)(2); 37 C.F.R. §2.34(a)(1)(ii); TMEP §§903 and 903.01. Both a date of first use anywhere and a date of first use in commerce must be provided, even if they are the same. TMEP §903.04.

Therefore, applicant must specify the date of first use of the mark anywhere. If the date of first use anywhere differs from the date of first use in commerce, applicant must verify the date of first use anywhere with an affidavit or signed declaration under 37 C.F.R. §2.20. 37 C.F.R. §2.71(c); TMEP §903. However, if the date of first use anywhere is the same as the date of first use in commerce, applicant need not verify the date of first use anywhere. TMEP §903.05.

Declaration

The application was not signed and verified, which are application requirements. 15 U.S.C. §§1051(a)-(b), 1126(d)-(e), 1141f(a); 37 C.F.R. §§2.33-2.34. Therefore, applicant must verify, in an affidavit or signed declaration under 37 C.F.R. §2.20, the facts set forth in the application.

If the application is based on **use in commerce** under Trademark Act Section 1(a), the verified statement must include the following allegation: **"The mark is in use in commerce and was in use in commerce on or in connection with the goods or services listed in the application as of the application filing date."** 15 U.S.C. §1051(a)(3)(C); 37 C.F.R. §2.34(a)(1)(i); TMEP §804.02.

If the application is based on an **intent to use the mark in commerce** under Trademark Act Section 1(b) or based on a **foreign registration** under Section 44, the verified statement must include the following allegation: **"Applicant had a bona fide intention to use the mark in commerce on or in connection with the goods or services listed in the application as of the application filing date."** 15 U.S.C. §§1051(b)(3)(B), 1126(d) and (e); 37 C.F.R. §§2.34(a)(2)(i), 2.34(a)(3)(i) and 2.34(a)(4)(ii); TMEP §§804.02, 806.01(b)-(d).

Significance of Mark

Applicant must specify whether "TORQUE" has any significance in the plant growth enhancement trade or industry, any geographical significance, or any meaning in a foreign language. 37 C.F.R. §2.61(b).

/Vivian Micznik First/
Vivian Micznik First
Trademark Attorney, Law Office 114
571-272-9159

RESPOND TO THIS ACTION: If there are any questions about the Office action, please contact the assigned examining attorney. A response to this Office Action should be filed using the Office's Response to Office action form available at http://www.uspto.gov/teas/eTEASpageD.htm. If notification of this Office action was received via e-mail, no response using this form may be filed for 72 hours after receipt of the notification. **Do not attempt to respond by e-mail as the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at http://tarr.uspto.gov. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please

contact the assigned examining attorney.

EXHIBIT C

Prince, Ted

From: dawn.murray@emdcropbioscience.com
Sent: Wednesday, October 17, 2007 4:50 PM
To: helge.erkelenz@merck.de
Cc: Susanne K Meyer/EMD/Merck@Merck; kristen.zbichorski@emdcropbioscience.com
Subject: Re: US Trademark Application "TORQUE"

HI Helge-

I faxed over the Torque sell sheet and logo - 3 pages. The packaging is not finalized yet, I can fax that over when completed. Let me know if you still need.

As Kristen advised, please only register "Torque."

The below date & description are correct.

Torque The name for our in-furrow plant health products in the agriculture market.
First Date Of Use: June 25th, 2007

Description of Goods/Services:
Natural molecule or bacteria for plant growth enhancement in agriculture crops.

Countries to Register: United States, Canada

Thanks

Dawn Murray
EMD Crop BioScience
Marketing Communications Specialist
Phone: 262-957-2090
Fax: 262-957-2122
www.emdcropbioscience.com

Helge Erkelenz/EMD/Merck
10/14/2007 04:49 PM

To
Dawn Murray/NITRAGIN/Merck@Merck
cc
Susanne K Meyer/EMD/Merck@Merck
Subject
US Trademark Application "TORQUE"

Hi Dawn,

we received the first official action for our US-Application "TORQUE". Please submit here also two labels, product packages etc., which show that the mark is in use for the applied goods "Natural molecule or bacteria for plant growth enhancement in corn". Please also confirm the use since June 2007.

Für Rückfragen stehe ich Ihnen selbstverständlich jederzeit gerne zur Verfügung. / Please do not hesitate to contact me for further questions.

Mit freundlichen Grüßen / Best regards

Helge Erkelenz
Rechtsanwalt/Legal Counsel
CLIP/TRADEMARKS
Location: F128/114
Phone: +49(0)6151 72 5588
Fax: +49(0)6151 72 3378
Email: helge.erkelenz@merck.de

Merck KGaA
Frankfurter Str. 250
Germany 64293 Darmstadt
Home: www.merck.de

EXHIBIT D

Prince, Ted

From: dawn.murray@emdcropbioscience.com
Sent: Wednesday, October 17, 2007 4:20 PM
To: Helge Erkelenz/EMD/Merck@Merck
Cc: Susanne K Meyer/EMD/Merck; kristen.zbichorski@emdcropbioscience.com
Subject: Torque IF Update

Please note the updated good & services description. The change is bolded below. Please change any necessary paperwork.

Torque IF The name for our in-furrow plant health products in the agriculture market.
First Date Of Use: June 25th, 2007

Description of Goods/Services:
Natural molecule or bacteria for plant growth enhancement in agriculture crops.

Countries to Register: United States, Canada
I am verifying the international countries we would like to register in. I will keep you updated once I hear back from Joern and Sergio

Thanks

Dawn Murray
EMD Crop BioScience
Marketing Communications Specialist
Phone: 262-957-2090
Fax: 262-957-2122
www.emdcropbioscience.com

EXHIBIT E

TORQUE™ IF

Turn on healthier corn from the ground-up.

Introducing *Torque™ IF LCO Promoter Technology* for corn.

Torque™ IF contains *LCO Promoter Technology* for corn seed. It is an in-furrow treatment that provides benefits right from the moment of planting in a way that no crop input can. That's because *Torque IF* is a crop **onput** – a crop enhancing technology focused on improving plant health and yield.

A crop onput is different than a crop input. Thanks to *LCO Promoter Technology*, *Torque IF* turns on each seed so it can reach its genetic potential. It turns on improved plant health for stronger, healthier, higher-yielding plants from the roots up.

What is *LCO Promoter Technology*?

LCO (Lipo-chitooligosaccharide) *Promoter Technology* is a unique molecule that initiates and enhances cell division and growth in both root and shoot – providing a boost early in the growth cycle regardless of soil and weather conditions. The natural growth process is immediately advanced, providing a stronger, healthier start for plants, translating into higher yields and better returns at the end of the season.

Stronger, healthier corn plants.

Torque IF helps corn plants reach their genetic potential. *LCO Promoter Technology* initiates strong root growth and development so plants emerge stronger and healthier – allowing each plant to reach its yield potential and making the most of your technology investment.

The plant health benefits provided by *Torque IF*:

- Improved emergence gets plants up and out of the ground more quickly
- Enhanced root and shoot development to give plants better nutrient and water uptake
- More uniform stands lead to higher yield.
- Overall improved plant health enables plant to better handle the stress of environmental pressures
- Increased stalk girth decreases lodging
- At harvest, increased yields leads to an improved ROI.

The yield benefits of an application of *Torque IF:*

TREATMENT	APPLICATION TYPE	MEAN* (bu/a)	RESPONSE (% of control)
Control	None	184.4	
Torque IF	In-furrow	189.5	102.8

* Mean of six trials

Product Details:

Packaging: 2 X 2.5 gallons
Unit Treats: 20 acres
Use rate: 16 fl oz/acre
Application Timing: In-furrow
Compatibility: Compatible with all major seed treatments already on seed, and other in-furrow applications

***Torque IF* is brought to you by EMD Crop BioScience.**

The development of crop onput technology, such as *LCO Promoter Technology* could only come from EMD Crop BioScience. *Torque IF* is the result of years of research and testing by EMD Crop BioScience teams around the globe.

LCO Promoter Technology is available in corn, cotton and legume crops and for the tomato market. Crop onput technology is backed by over 100 years of experience, product support and proven, leading-edge development to help growers find success.

For more information, call 1-800-558-1003, visit www.emdcropbioscience.com or contact your local EMD Crop BioScience representative.

EMD Crop BioScience

Prepared: October 17, 2007

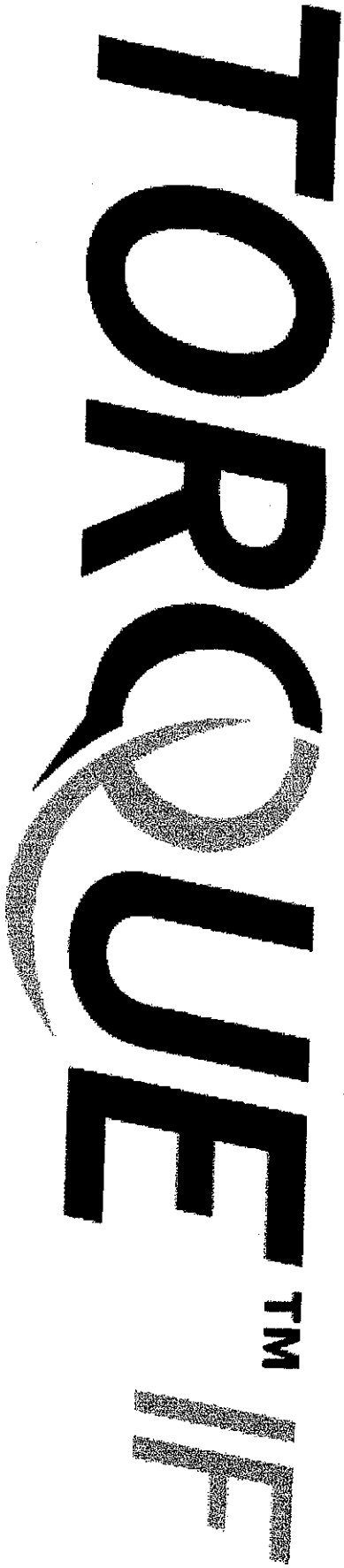

TORQUE™ IT

EXHIBIT F

United States Patent and Trademark Office

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Oct 23 05:20:46 EDT 2012

Logout Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

LCO PROMOTER TECHNOLOGY

Word Mark	**LCO PROMOTER** TECHNOLOGY
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Natural molecule for plant growth enhancement. FIRST USE: 20040801. FIRST USE IN COMMERCE: 20040801
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78702235
Filing Date	August 29, 2005
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 7, 2006
Registration Number	3200913
Registration Date	January 23, 2007
Owner	(REGISTRANT) Nitragin, Inc. CORPORATION DELAWARE 13100 W. Lisbon Road Suite 600 Brookfield WISCONSIN 53005 (LAST LISTED OWNER) NOVOZYMES BIOAG, INC. CORPORATION DELAWARE 13100 WEST LISBON AVENUE BROOKFIELD WISCONSIN 53005
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	William C. Wright
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LCO" AND "TECHNOLOGY" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK

Register PRINCIPAL
Live/Dead Indicator LIVE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APEAL BOARD

NOVOZYMES BIOAG, INC. (formerly EMD CROP BIOSCIENCE, INC.), Opposer, v. CLEARY CHEMICALS, LLC., Applicant.	Opposition No. 91200105

Declaration of Allan Basnight

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the registration, declares that:

1. He joined the company in October of 1979, in 2006-2007 he was National Sales Manager, in January of 2008 he became Senior Director of Sales for North America and is currently National Accounts Manager of Novozymes BioAg, Inc., formerly EMD Crop Bioscience Inc.

2. In 2006 and 2007 opposer, EMD Crop BioScience, Inc., was experimenting with a unique molecule called lipo-chitoolitosaccharide, commonly abbreviated to LCO, in connection with corn, cotton and other agricultural crops, described in greater detail in Exhibit 1.

3. In 2007 opposer began distributing LCO goods for corn in a soft plastic bag containing 2.5 gallons and weighing 20.8 pounds which was then packaged in a box shown in Exhibit 2 bearing the generic designation LCO-C IF, with LCO standing for lipo-chitoolitosaccharide, C standing for corn and IF standing for in-furrow. When the product is used in-furrow, it is placed in the furrows with the seeds. A specimen label (Exhibit 3) was developed for this product as a display associated with the goods.

4. Attached as Exhibit 4 is a distributor price sheet for this product put out in February 2007.

5. This product was sold directly to consumers through our own salesmen and through various non-exclusive distributors. When selling these goods, it is impracticable to carry the box to customers, distributors and trade shows due to its weight and the 2.5 gallon bag of liquid product in the box. Thus, the product is sold from displays associated with the goods including a specimen label, price lists and trade show exhibits. Accompanying these displays are sell sheets promoting the benefits of the product. These materials including the specimen label and price lists are distributed to customers by our salesmen and distributors and posted on our website. In addition, the specimen label, customer price list and advertising materials are distributed at trade shows.

6. As the corn began to grow in 2007, it became apparent this product was going to be a commercial success. Our salesmen and independent contractors began promoting the product, but it was awkward to use the generic name LCO-C IF. Our other products were identified by trademarks; thus, it was

normal to adopt and use a trademark for this particular product. We began to consider possible names in conjunction with our advertising agency AdFarm. It is not known who specifically suggested Torque, but, on information and belief based on an electronic file of June 12, 2007 (Exhibit 5) provided to us by AdFarm, Torque had been selected as one of three names for the LCO corn IF product. By June 25, 2007, we had prepared a sixth draft of a product plan for Torque (Exhibit 6) and on June 25, 2007 AdFarm responded to our request for an estimate (Exhibit 7) for creative artwork and direction for the new name, logo and packaging. Subsequently, various different Torque logos were received from AdFarm. (See, for example, Exhibit 8.)

7. Attached as Exhibits 9, 10 and 11 are YTD recitations of domestic sales of LCO corn category for Product No. 8300 for the periods November 2006 - May 2007, -June 2007, and –July 2007, respectively. In June the computer records still referred to Product No. 8300 as LCO-C IF while in July the computer records referred to the product as Torque IF. Exhibit 12 is an invoice showing shipment of 25 units of Torque to Sidney Fox, a consultant who worked with Ira (Buddy) Lee in Donaldsonville, GA covering the southeast region of the United States. The 25 units of Product No. 8300 were for a second planting of corn in the warm south in a harvested field of a product such as wheat or corn. By June Torque was adopted as the new trademark for the LCO-C IF product and from that point forward EMD, salesmen and distributors started identifying this product by the name and mark Torque.

8. A presentation on the TORQUE product was made to salesmen at our North American Sales Meeting on July 24-26, 2007, Exhibit 13; material from this presentation was subsequently used in sales calls to customers.

9. Sales reports are prepared and submitted by salesmen at the end of the week. Collective Exhibit 14 comprises examples of sales reports submitted by salesmen after visiting customers during August – October, 2007, mentioning the TORQUE product during discussions. The undated Weekly Report of Andy Steinberger was for the week of October 20, 2007, with a reference to a visit to Pioneer on Thursday (October 18). Andy picked up a Performance Trial Report from Pioneer Hi-Bred International Inc., an independent dealer representing Pioneer, which was included in his weekly report. The Pioneer Hi-Bred report referred to Torque in discussing the products applied to the first test strip. Pictures were developed for use during sales sessions showing the results of using TORQUE in connection with corn (Exhibit 15). Exhibit 16 is an R&D presentation to Ceres Solution on August 16, 2007, extensively discussing TORQUE.

10. Opposer's distributors were likewise promoting TORQUE and touting its success, as shown in a publication called The Partner, put out by Triangle AG (now West Central AG) in the fall of 2007 (Exhibit 17). I received this as an attachment to a sales report and put it in my computer database on September 18, 2007.

11. Price lists come out in early fall and are generally effective on October 1 for the next growing season. Attached as Exhibit 18 and 19 are

distributor price lists prepared in September 2007 and October 2007, effective October 1, 2007.

12. The specimen label used by EMD during the summer of 2007 was the LCO-C IF label (Exhibit 3), but salesmen and distributors commonly referred to the product as TORQUE. The LCO-C IF label was modified on September 23, 2007, to insert the trademark TORQUE on the top line (Exhibit 20) with Exhibit 21 comprising the computer record showing when it was modified. The logo adopted was one of the logos designed by our advertising agency, AdFarm. Our ad agency also prepared a Torque web banner for use on distributors' websites as reflected in a work order provided to us by AdFarm (Exhibit 22). Once the specimen label was revised with the TORQUE logo in late September, it was used until replaced by a new specimen label in 2008. Specimen labels appear on our website. It is believed that the revised specimen label was used on our website until replaced by the 2008 specimen label.

13. On October 16-18, 2007 Buddy Lee and Sidney Fox attended the Sun Belt Expo where Torque was promoted along with other goods. The weekly report of Sidney Fox (SWF) for the week ending October 20, 2007 (Exhibit 23), reports that there were 1,209 exhibitors and approximately 250,000 people attending.

14. By the beginning of October 2007, EMD, its salesmen, distributors and customers were all referring to the product as TORQUE. By October 2007 customers and distributors clearly recognized Torque as an indication of source for thee goods. Discussions with customers using the Torque name continued in

15. At the end of 2007, we concluded that the Torque product in 2008 would comprise two 2.5 gallon bags packaged in a box rather than the one 2.5 gallon bag previously packaged in the LCO-C IF labeled box. The new box (Exhibit 24) was designed and produced in February of 2008 with the TORQUE logo. A revised specimen label (Exhibit 25) was prepared and posted on EMD's website. Sale of products in the new TORQUE box commenced in February of 2008. (Exhibit 26.)

All statements made on his own knowledge are true and all statements made on information or belief are believed to be true.

Allan Basnight

Dated: October 25, 2012

EXHIBIT 1

LCO Promoter Technology®
Backgrounder

What is *LCO Promoter Technology®?*

LCO Promoter Technology is a unique molecule (Lipo-chitooligosaccharide) and is categorized as a **crop onput** because of the way it turns on vital growth processes independent of soil and weather conditions.

LCO Promoter Technology enhances the natural growing process of plants. In on-seed or in-furrow applications, this results in improved root development. With foliar applications, the response is an increase in photosynthesis and sugar production. In both cases, the result is a stronger, healthier start for plants, translating into higher yields and better returns at the end of the season.

How does it help?

The effect of the LCO molecule helps the crop survive the inconsistencies of environmental pressures. Plants treated with *LCO Promoter Technology* are better able to survive environmental stresses. And when plants are able to survive and thrive, the return on investment is considerably higher at the end of the year because the crop is able to perform to its genetic potential.

What makes the plant health claims of *LCO Promoter Technology* unique?

There are many products available for use in all crops that make plant health claims. Many of these products are defensive – (such as a seed treatment protecting against disease or insect pests). Alternatively, *LCO Promoter Technology* takes offensive action, working directly with the plant to enhance plant growth processes, ensuring each seed reaches its genetic potential.

Plant health benefits unique to *LCO Promoter Technology* include:

- Enhanced emergence
- Improved nutrient and water uptake
- Earlier and improved root system development
- Improved vigor and stand
- Growth promotion
- Greener plants

How is *LCO Promoter Technology* applied?

There are different formulations and application methods developed for each crop. The three basic methods of application are on-seed, in-furrow and foliar. On-seed products are dealer applied for convenience and consistency. In-furrow products are available for on-farm application. Foliar products can be applied in the tankmix with Roundup and other post-emergence products.

For some crops, *LCO Promoter Technology* is available in multiple application types. In fact, multiple applications in the same season can offer greater benefits than one product alone. For example, an on-seed treatment combined with foliar applications later in the season can deliver cumulative effects for superior end of season results.

On which crops is *LCO Promoter Technology* currently available?

Currently, there are *LCO Promoter Technology* products available for soybeans, corn, cotton, alfalfa, peanuts and peas and lentils. Each product is uniquely formulated to provide specific benefits to each individual crop (See table).

Crop-Specific Benefits

Crop: Corn ***Product: Torque™ IF*** An in-furrow treatment for corn that is compatible with liquid starter fertilizers and insecticides. • Enhanced emergence rate gets plants up and out of the ground more quickly • Improved root and shoot development for improved nutrient uptake • Increased stalk girth reduces potential for lodging	**Crop: Soybeans** ***Product: Optimize®*** A dealer-applied seed treatment that help soybeans achieve early-season plant health and season-long benefits. • Enhanced emergence gives plants an early-season boost • Earlier and improved root and shoot development • Earlier canopy closure reduces weed pressure and competition • 120 days on-seed viability, alone or with compatible seed treatments
Crop: Corn and Soybeans **Product: *Reveal™ Foliar*** This foliar product for corn and soybeans provides post-application benefits and an added healthy boost post-emergence. • Improved photosynthesis to enhance plant growth. • Increased stalk girth reduces potential for lodging. • Earlier canopy closure conserves soil moisture and reduces weed pressure. • Advanced ear and pod development leads to improved yield and quality.	**Crop: Cotton** **Product: *Bolt™*** With this dealer-applied seed treatment, cotton seedlings get the boost needed for a strong, vigorous start. • Enhanced emergence gets plants up and out of the ground more quickly • Improved root system development for better nutrient and water uptake • Uniform stands lead to higher yield • Increased bolls per plant leads to improved ROI

Crop: Alfalfa ***Product: Anew™ Foliar*** A foliar treatment applied after each cutting that provides plant health and yield advantages. • Enhanced plant regrowth after every application • Improved photosynthesis • Increased yield and potential for improved nutritional value after each cutting, resulting in higher ROI	**Crop: Pea & Lentil** ***Product(s): Optimize® Pulse* and *Optimize® Pulse IF*** Available in two different formulations; as a retail-applied liquid seed treatment, and as an in-furrow granular treatment for peas and lentils. • Improved vigor and stand from enhanced emergence • Improved root system for better nutrient and water uptake • Enhanced nodule development for increased nitrogen fixation • Consistent/improved protein content as yield increases
	Crop: Peanuts **Product: *Optimize® LIFT®*** This in-furrow peanut product maximizes plant health and crop performance all season long. • Improved emergence and more vigorous growth for an early-season boost • Earlier nodule development for increased nitrogen fixation • Earlier maturity reduces the risk of temperature related damage and provides harvest advantages when growing multiple crops • Increased yield and grade for improved return on investment

About EMD Crop BioScience

EMD Crop BioScience is committed to improving plant health and helping growers improve their returns. Through extensive research and development EMD Crop BioScience has created a portfolio of crop **onputs** – yield enhancing technologies focused on improving plant health and maximizing genetic potential. Crop onput technology is backed by over 100 years of experience, product support and proven, leading-edge development.

EXHIBIT 2

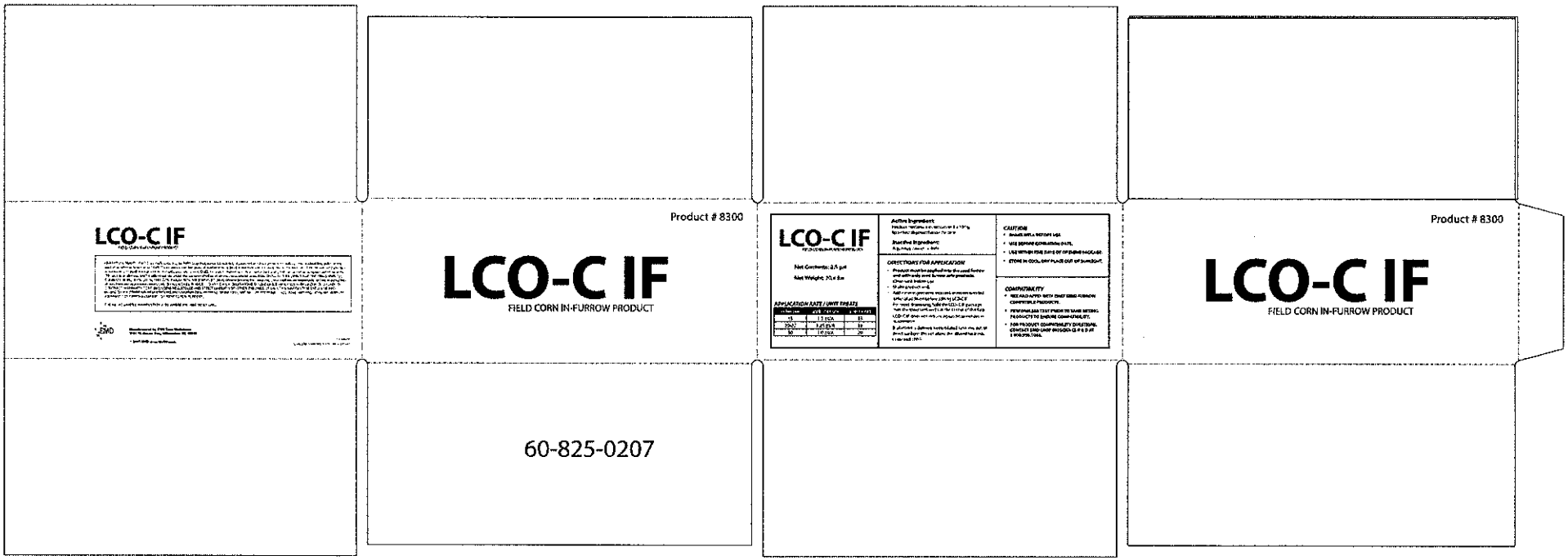

LCO-C IF
Product # 8300
LCO-C IF
FIELD CORN IN-FURROW PRODUCT
60-825-0207
LCO-C IF
Net Contents: 2.5 gal
Net Weight: 20.4 lbs
APPLICATION RATE / UNIT TREAT
Active Ingredient:
DIRECTIONS FOR APPLICATION
CAUTIONS
COMPATIBILITY
Product # 8300
LCO-C IF
FIELD CORN IN-FURROW PRODUCT

EXHIBIT 3

LCO-C IF

Product No. 8300

- **NET WEIGHT: 20.8 lb**
- **NET CONTENTS: 2.5 gal**

- **SHAKE WELL BEFORE USE.**
- **USE BEFORE EXPIRATION DATE.**
- **USE WITHIN FIVE DAYS OF OPENING PACKAGE.**
- **STORE IN COOL, DRY PLACE OUT OF SUNLIGHT.**

COMPATIBILITY

- **MIX AND APPLY WITH ONLY SEED FURROW COMPATIBLE PRODUCTS.**
- **PERFORM JAR TEST PRIOR TO TANK MIXING PRODUCTS TO ENSURE COMPATIBILITY.**
- **FOR PRODUCT COMPATIBILITY QUESTIONS, CONTACT EMD CROP BIOSCIENCE R & D AT 1.800.558.1003.**

APPLICATION RATE / UNIT TREATS

inches/row	application rate	acres treated
15	1.5 pt/A	13
20-22	1.25 pt/A	16
30	1.0 pt/A	20

ACTIVE INGREDIENT

Product contains a minimum of 1×10^{-7}% lipo-chitooligosaccharide for corn.

INACTIVE INGREDIENTS

Aqueous carrier > 99%

EMD Crop BioScience

Manufactured by
EMD Crop BioScience
3101 W. Custer Ave.
Milwaukee, WI
53209

ISO 9001

DIRECTIONS FOR APPLICATION

- **Product must be applied into the seed furrow and with only seed furrow safe products.**
- Clean tank before use.
- Shake product well.
- Add other ingredients into tank in recommended order of addition before adding LCO-C IF.
- For rapid dispensing, hold the LCO- C IF package over the spray tank and cut the corner of the bag.
- LCO- C IF does not require agitation to remain in suspension.
- If planting is delayed, keep diluted tank mix out of direct sunlight. Do not allow the diluted tank mix to exceed 100 F.

LIMITED WARRANTY

EMD Crop BioScience Inc. (or EMD Crop BioScience Canada Inc., dependent on which entity is the seller of this product) (the seller of this product is referred to herein as "EMD") guarantees this product conforms to its label description and is suitable for its intended use if stored and used strictly in accordance with label directions under normal conditions of use. EMD, through its distributors, must be notified of any field performance complaint within seventy (70) days after planting. EMD's sole obligation under this warranty shall be to refund the purchase price. EMD SHALL NOT BE LIABLE FOR AND DISCLAIMS ALL CONSEQUENTIAL, INCIDENTAL AND CONTINGENT DAMAGES WHATSOEVER. Without limiting the foregoing, EMD shall not be responsible for loss or partial loss of crop from any cause whatsoever. EMD SHALL NOT BE SUBJECT TO ANY OTHER OBLIGATIONS OR LIABILITIES, WHETHER ARISING OUT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR OTHER THEORIES OF LAW. THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED, AND SELLER EXPRESSLY DISCLAIMS AND EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR PURPOSE.
THE ABOVE LIMITED WARRANTY IS VOID WHERE PROHIBITED BY LAW.

U.S. Patent
5,549,718 5,646,018 5,175,149 5,321,011

0207

EXHIBIT 4

EMD Crop BioScience Inc.

LCO-C IF Distributor Price Sheet
LCO Corn In-Furrow Liquid
2007 Season

Product Code	Product Name	Amount of Seed Each Pkg. Treats	Packages per case	Distributor Price-Case	Suggested Dealer Price-Case	Suggested Retail Price-Case
8300	***LCO-C IF***	See Chart Below	1	$43.75	$51.60	$60.80

Payment Terms: Net 30 Days. Finance charges of 1.5% per month will be added to all invoices not paid within 30 days from invoice date.

Freight: F.O.B. shipping point. Shipments to one location will be prepaid on orders of $5,000 or more.

Standard Early Order Discount: Not Applicable.

Returns: This product is non-returnable.

Application Rate/Unit Treats:

inches/row	application rate	acres treated
15	1.5 pt/A	13
20-22	1.25 pt/A	16
30	1.0 pt/A	20

EMD Crop BioScience Customer Service
800-558-1003
Fax 262-957-2122
Hours: 7:30 a.m. – 4:30 p.m. Monday – Friday

EXHIBIT 5

EMD CBS LCO Corn IF Name:

To Keep:
Torque
Sustain
Pivot

End-User:
All ears

Grower Focus – Profit:
Groove
Trench
TassleMaker
EarMaster
Kernel
Colonel
UpStart
JumpStart
Root Boost
Boomer
Bumper
Rascal
Kick It
Savior
Turbo
Boost (taken)
Nitro
Kick
Cellerator
Throttle
YieldHealth
ProfitMaker
Volt
Voltage
Rocket
Blast
Flash
Project
Fortify
Amaize
Zoom
Zeal
Zealot

Vigor
Vibrant
Vibrancy
Radiance
Spark
Evince
Ignite
Ear-well
Liberate
Claim
Evoke
Evince
Envelop
Husker
Rounded
Whip
Encircle
Encompass
Trigger
Confluence
Battalion
Inject
Propel
Erupt
Emerge
Engender
Multiply
Stratosphere
Incorporate
Sound
Stable
Staple
Supply
Centerpiece
Cornucopia
Plenty
Peace
Equilibrium
Balance
Avail
Surreal
Fatten
Rotund

Ear-more
Fend
Genus
Launch
Cultivate
Perfect
Magnify
Stimulate
Initiate
Catalyst
Synapse
Liberate
Motivator
Unleash
Release
Motivate
Induct
Initiative
Alliance
Fatten

Optimize-ish:
Maximizer
Maxim
Apex
Maximize
Exercize
Vitamize
Supersize
Energize

Environmentally Friendly:

Environmentally friendly messaging
More natural
Farm friendly
Test on the farm panel??
Green path…
Earthease
Naked
Response-ability

Grower Focus – Prominence:
KingTouch
RoyalTouch
MidasMaker
Abaccus
Zeus
Zenith
Pinnacle
Silk
Velvet
Peak
Ascent
Ascend
Crown
Deity
Majesty
Eminence
Harvestment
Summit
Sum-it
Builder
Dream
Stature
Goal
Stellar
Genesis
Inaugurate
Presence
Grand
Grande

Grower Focus - Gambling:
Jackpot
Payoff
Sure
Certainty
Reward
Stake
Bounty
Abundance
Bullion
scaleBreaker
Streak
Share

EXHIBIT 6

June 25, 2007 **Draft #6**

Product Plan for: Torque™ IF

Name: Torque IF

Product Position Statement

LCO CIF is an in-furrow applied product designed to help the corn plant reach its full genetic potential through the use of LCO Promoter technologies to signal the plant through the roots to emerge stronger, and healthier in order to increase its yield potential.

Labeled Crops: Field corn

Introduction Date: Introduced January 2007.

Geography: All states where field corn is grown except California. Primary target states are Nebraska, South Dakota, North Dakota, Indiana and Minnesota.

Revised Price:	Distributor Cost	Dealer Cost	Grower Cost
2008	$18.00 / Gallon ($2.25/Acre)	$20.00 / Gallon ($2.50/Acre)	$28.00 /Gallon ($3.50 /Acre)

Grower ROI: 5:1 (@ $3.50/bu corn and 5.1 bu/ac yield increase)

Use Rate: One pint per acre

Expected Volume:

2008	17,438 Gallons
2009	57,500 Gallons
2010	68,250 Gallons

Projected EMD Sales Revenues:

2008	$ 313,884
2009	$ 1,035,000
Third Year	$ 1,228,500

Packaging: 2.5 gallon container in a case. (If regulatory approved, 2 X 2.5 gal per case)

Distribution: Limited distribution to ag chemical distributors currently selling Optimize products.

District Expectations:	**Spring 2008**
Central District	107,300 acres
Northern District	28,000 acres
Southern District	1,400 acres
Western District	2,800 acres

Marketing Targets

- Fertilizer dealers with the message that LCO CIF is designed to be applied in furrow with starter fertilizer on corn and is a good income producer for them as well as a benefit for their growers without additional equipment investment.
- Pull through from growers trying to take advantage of the high prices expected to be paid for field corn

Marketing Tools

- Umbrella LCO Advertising Campaign. National focus.
- Tank mix partner compatibility data. Local focus.
- Performance field pictures, testimonials and field data. Local focus.
- Create Power Point presentation explaining how LCO CIF works on corn that can be used by our salespeople in training the distributor and dealer salespeople.
- Provide sales literature that explains how LCO CIF works that can be left with growers and dealers.
- Provide clearer mixing instructions and cautions as needed.

Regulatory

- Labels
- MSDS Sheets

Long Term Table

LCO CIF	2007	2008	2009	2010	2011
Crop Acres	90,000,000	93,000,000	92,000,000	91,000,000	90,000,000
% Market Share	0.04%	0.15%	0.50%	0.60%	0.75%
Projected Applied Acres	36,240	139,500	460,000	546,000	675,000
Rate per acre (gallons)	0.125	0.125	0.125	0.125	0.125
Gallons	4,530	17,438	57,500	68,250	84,375
Retail Price per Acre	$3.04	$3.50	$3.50	$3.50	$3.50
Retail Price per Gallon	$ 24.32	$ 28.00	$ 28.00	$ 28.00	$ 28.00
Retail Margin	$ 3.68	$ 8.00	$ 8.00	$ 8.00	$ 8.00
Retail Margin %	15%	29%	29%	29%	29%
Retail Margin per acre	$ 0.46	$ 1.00	$ 1.00	$ 1.00	$ 1.00
Distributor Price per Gal	$ 20.64	$ 20.00	$ 20.00	$ 20.00	$ 20.00
Distributor Margin per Gal	$ 3.14	$ 2.00	$ 2.00	$ 2.00	$ 2.00
Distributor Margin %	15%	10%	10%	10%	10%
Distributor cost per Gal	$ 17.50	$ 18.00	$ 18.00	$ 18.00	$ 18.00
Total EMD Sales $	$ 79,275	$ 313,884	$ 1,035,000	$ 1,228,500	$ 1,518,750

EXHIBIT 7

Estimate

EMD Crop BioScience Inc.
Corn
600, 13100 West Lisbon Rd
Brookfield, WI 53005
Attention: Kristen Zbichorski

Date: 06/25/2007
Page: 1

Estimate #: 001753 2007 Corn IF Name, Logo and Packaging
Comp #: 01 2007 Corn IF Name, Logo and Packaging
Quote #: 01 Corn IF Name, Logo and Package
Revision #: 00

Job #: 005591 2007 Corn IF Name, Logo and Packaging
Comp #: 01 2007 Corn IF Name, Logo and Packaging

Description	Amount
Account Management	1,807.00
Art Direction	2,085.00
Creative Direction	2,550.00
Photocopies	25.00
Phone	33.00
Total for Estimate: 001753 Component: 01 Quote: 01 Revision: 00	**$6,500.00**

This estimate is subject to a +/- 10% variance. The costs are based upon our understanding at this time. These costs do not include any allowances for revisions or changes after this date. This estimate is subject to review if not approved within (30) days or if production is not complete within (60) days. Photo and broadcast estimates do not allow for "Rainout" or "Cancellation Fees." Photo illustrations are based on a "usage fee" unless otherwise noted. Freight, delivery and postage expenses are estimates only. Actual costs will be billed accordingly.

Agency
Prepared By: _____
Authorized By: _____

Client Approval
Approved By: _____
Date: _____

EXHIBIT 8


TorqueIF
TM


Torque™ IF


TORQUE™ IF


Torque™ IF

EXHIBIT 9

Domestic Sales

2006A: November 2005 - May 2006 Actual
2007A: November 2006 - May 2007 Actual
2007B: November 2006 - May 2007 Budget

DISTRICT	(All)
TERR	(All)

					YEAR		
CROP	CATEGORY	ITEM	ITEM DESCRIPTION	Data	2006A	2007A	2007B
ALFCLO	NITRAGIN GOLD	1570	NIT GOLD ALFALFA	Sum of UNITS	2,115	1,555	
				Sum of SALES			
		1573	PIONEER NITRAGIN GOLD ALF BULK	Sum of UNITS			
				Sum of SALES			
		1575	NIT GOLD CLOVER	Sum of UNITS			
				Sum of SALES			
	NITRAGIN GOLD Sum of UNITS						
	NITRAGIN GOLD Sum of SALES						
	NITRAGIN LABEL	1174	NIT 50-60# AB (ALF/CLOV) 24/CS	Sum of UNITS			
				Sum of SALES			
		1181	NIT 50# O (ARROWLEAF) 24/CS	Sum of UNITS			
				Sum of SALES			
		1183	NIT 50# R/WR	Sum of UNITS			
				Sum of SALES			
		1188	NIT 100# R/WR (CLOVER) 24/CS	Sum of UNITS			
				Sum of SALES			
		1191	NITRAGIN A MINI BLK	Sum of UNITS			
				Sum of SALES			
		1192	NITRAGIN B MINI BLK	Sum of UNITS			
				Sum of SALES			
		1193	NITRAGIN O MINI BLK	Sum of UNITS			
				Sum of SALES			
		1194	NITRAGIN R/WR MINIBULK	Sum of UNITS			
				Sum of SALES			
	NITRAGIN LABEL Sum of UNITS						
	NITRAGIN LABEL Sum of SALES						
	OPTIMIZE	1765	OPTIMIZE GOLD ALFALFA	Sum of UNITS			
				Sum of SALES			
	OPTIMIZE Sum of UNITS						
	OPTIMIZE Sum of SALES						
ALFCLO Sum of UNITS							
ALFCLO Sum of SALES							
CORN	LCO	8300	LCO-C IF	Sum of UNITS	1,787		
				Sum of SALES	$67,944		
	LCO Sum of UNITS				1,787		
	LCO Sum of SALES				$67,944		
CORN Sum of UNITS					1,787		
CORN Sum of SALES					$67,944		
OTHER	CELLTECH	1720	CELL-TECH APPLICATOR KIT (SOYBEAN)	Sum of UNITS			
				Sum of SALES			
	CELLTECH Sum of UNITS						
	CELLTECH Sum of SALES						
	NITRAGIN GOLD	5110	NITRAGIN GOLD ALFALFA TAGS	Sum of UNITS			
				Sum of SALES			
		5111	TAGS A (ALFALFA) BLANK	Sum of UNITS			
				Sum of SALES			
		5112	NITRAGIN GOLD CLOVER TAGS	Sum of UNITS			
				Sum of SALES			
		5113	TAGS B (CLOVER) BLANK	Sum of UNITS			
				Sum of SALES			
	NITRAGIN GOLD Sum of UNITS						
	NITRAGIN GOLD Sum of SALES						
	NITRAGIN LABEL	1000	SAMPLES-INOCULANTS	Sum of UNITS			
				Sum of SALES			
		1178	NIT 100# EL (COWPEA) 24/CS	Sum of UNITS			
				Sum of SALES			
		1178NR	NIT 100# EL (COWPEA) 24/CS	Sum of UNITS			
				Sum of SALES			
		1195	NITRAGIN K MINIBULK	Sum of UNITS			
				Sum of SALES			
		4027	NIT 454KG 1000# H (LUPINE) 6/CS	Sum of UNITS			
				Sum of SALES			
		4040	NIT 22-27KG 50-60# K (TREFOIL) 24/C	Sum of UNITS			
				Sum of SALES			
		4045	NIT 9KG 20# M (VETCH) 24/CS	Sum of UNITS			
				Sum of SALES			
		4065	NIT 2.3KG 5# GARDEN 72/12/6 CS	Sum of UNITS			

EXHIBIT 10

Domestic Sales

2006A: November 2005 - June 2006 Actual
2007A: November 2006 - June 2007 Actual
2007B: November 2006 - June 2007 Budget

DISTRICT	(All)
TERR	(All)

					YEAR		
CROP	CATEGORY	ITEM	ITEM DESCRIPTION	Data	2006A	2007A	2007B
ALFCLO	NITRAGIN GOLD	1570	NIT GOLD ALFALFA	Sum of UNITS			
				Sum of SALES			
		1573	PIONEER NITRAGIN GOLD ALF BULK	Sum of UNITS			
				Sum of SALES			
		1575	NIT GOLD CLOVER	Sum of UNITS			
				Sum of SALES			
	NITRAGIN GOLD Sum of UNITS						
	NITRAGIN GOLD Sum of SALES						
	NITRAGIN LABEL	1174	NIT 50-60# AB (ALF/CLOV) 24/CS	Sum of UNITS			
				Sum of SALES			
		1181	NIT 50# O (ARROWLEAF) 24/CS	Sum of UNITS			
				Sum of SALES			
		1183	NIT 50# R/WR	Sum of UNITS			
				Sum of SALES			
		1188	NIT 100# R/WR (CLOVER) 24/CS	Sum of UNITS			
				Sum of SALES			
		1191	NITRAGIN A MINI BLK	Sum of UNITS			
				Sum of SALES			
		1192	NITRAGIN B MINI BLK	Sum of UNITS			
				Sum of SALES			
		1193	NITRAGIN O MINI BLK	Sum of UNITS			
				Sum of SALES			
		1194	NITRAGIN R/WR MINIBULK	Sum of UNITS			
				Sum of SALES			
	NITRAGIN LABEL Sum of UNITS						
	NITRAGIN LABEL Sum of SALES						
	OPTIMIZE	1765	OPTIMIZE GOLD ALFALFA	Sum of UNITS			
				Sum of SALES			
	OPTIMIZE Sum of UNITS						
	OPTIMIZE Sum of SALES						
ALFCLO Sum of UNITS							
ALFCLO Sum of SALES							
CORN	LCO	8300	LCO-C IF	Sum of UNITS		1,812	
				Sum of SALES		$67,944	
	LCO Sum of UNITS					1,812	
	LCO Sum of SALES					$67,944	
CORN Sum of UNITS						1,812	
CORN Sum of SALES						$67,944	
OTHER	CELLTECH	1720	CELL-TECH APPLICATOR KIT (SOYBEAN)	Sum of UNITS			
				Sum of SALES			
	CELLTECH Sum of UNITS						
	CELLTECH Sum of SALES						
	NITRAGIN GOLD	5110	NITRAGIN GOLD ALFALFA TAGS	Sum of UNITS			
				Sum of SALES			
		5111	TAGS A (ALFALFA) BLANK	Sum of UNITS			
				Sum of SALES			
		5112	NITRAGIN GOLD CLOVER TAGS	Sum of UNITS			
				Sum of SALES			
		5113	TAGS B (CLOVER) BLANK	Sum of UNITS			
				Sum of SALES			
	NITRAGIN GOLD Sum of UNITS						
	NITRAGIN GOLD Sum of SALES						
	NITRAGIN LABEL	1000	SAMPLES-INOCULANTS	Sum of UNITS			
				Sum of SALES			
		1178	NIT 100# EL (COWPEA) 24/CS	Sum of UNITS			
				Sum of SALES			
		1178NR	NIT 100# EL (COWPEA) 24/CS	Sum of UNITS			
				Sum of SALES			
		1195	NITRAGIN K MINIBULK	Sum of UNITS			
				Sum of SALES			
		4027	NIT 454KG 1000# H (LUPINE) 6/CS	Sum of UNITS			
				Sum of SALES			
		4040	NIT 22-27KG 50-60# K (TREFOIL) 24/C	Sum of UNITS			
				Sum of SALES			
		4045	NIT 9KG 20# M (VETCH) 24/CS	Sum of UNITS			

EXHIBIT 11

Domestic Sales

2006A: November 2005 - July 2006 Actual
2007A: November 2006 - July 2007 Actual
2007B: November 2006 - July 2007 Budget

DISTRICT	(All)
TERR	(All)

					YEAR		
CROP	CATEGORY	ITEM	ITEM DESCRIPTION	Data	2006A	2007A	2007B
ALFCLO	NITRAGIN GOLD	1570	NIT GOLD ALFALFA	Sum of UNITS			
				Sum of SALES			
		1573	PIONEER NITRAGIN GOLD ALF BULK	Sum of UNITS			
				Sum of SALES			
		1575	NIT GOLD CLOVER	Sum of UNITS			
				Sum of SALES			
	NITRAGIN GOLD Sum of UNITS						
	NITRAGIN GOLD Sum of SALES						
	NITRAGIN LABEL	1174	NIT 50-60# AB (ALF/CLOV) 24/CS	Sum of UNITS			
				Sum of SALES			
		1181	NIT 50# O (ARROWLEAF) 24/CS	Sum of UNITS			
				Sum of SALES			
		1183	NIT 50# R/WR	Sum of UNITS			
				Sum of SALES			
		1188	NIT 100# R/WR (CLOVER) 24/CS	Sum of UNITS			
				Sum of SALES			
		1191	NITRAGIN A MINI BLK	Sum of UNITS			
				Sum of SALES			
		1192	NITRAGIN B MINI BLK	Sum of UNITS			
				Sum of SALES			
		1193	NITRAGIN O MINI BLK	Sum of UNITS			
				Sum of SALES			
		1194	NITRAGIN R/WR MINIBULK	Sum of UNITS			
				Sum of SALES			
	NITRAGIN LABEL Sum of UNITS						
	NITRAGIN LABEL Sum of SALES						
	OPTIMIZE	1765	OPTIMIZE GOLD ALFALFA	Sum of UNITS			
				Sum of SALES			
	OPTIMIZE Sum of UNITS						
	OPTIMIZE Sum of SALES						
ALFCLO Sum of UNITS							
ALFCLO Sum of SALES							
CORN	LCO	8300	TORQUE IF	Sum of UNITS	1,812		
				Sum of SALES	$67,944		
	LCO Sum of UNITS				1,812		
	LCO Sum of SALES				$67,944		
CORN Sum of UNITS					1,812		
CORN Sum of SALES					$67,944		
OTHER	CELLTECH	1720	CELL-TECH APPLICATOR KIT (SOYBEAN)	Sum of UNITS			
				Sum of SALES			
	CELLTECH Sum of UNITS						
	CELLTECH Sum of SALES						
	NITRAGIN GOLD	5110	NITRAGIN GOLD ALFALFA TAGS	Sum of UNITS			
				Sum of SALES			
		5111	TAGS A (ALFALFA) BLANK	Sum of UNITS			
				Sum of SALES			
		5112	NITRAGIN GOLD CLOVER TAGS	Sum of UNITS			
				Sum of SALES			
		5113	TAGS B (CLOVER) BLANK	Sum of UNITS			
				Sum of SALES			
	NITRAGIN GOLD Sum of UNITS						
	NITRAGIN GOLD Sum of SALES						
	NITRAGIN LABEL	1000	SAMPLES-INOCULANTS	Sum of UNITS			
				Sum of SALES			
		1178	NIT 100# EL (COWPEA) 24/CS	Sum of UNITS			
				Sum of SALES			
		1178NR	NIT 100# EL (COWPEA) 24/CS	Sum of UNITS			
				Sum of SALES			
		1195	NITRAGIN K MINIBULK	Sum of UNITS			
				Sum of SALES			
		4027	NIT 454KG 1000# H (LUPINE) 6/CS	Sum of UNITS			
				Sum of SALES			
		4040	NIT 22-27KG 50-60# K (TREFOIL) 24/C	Sum of UNITS			
				Sum of SALES			
		4045	NIT 9KG 20# M (VETCH) 24/CS	Sum of UNITS			

EXHIBIT 12

novozymes®
Rethink Tomorrow
13100 W. LISBON ROAD, SUITE 600 -- BROOKFIELD, WI 53005-2509
PHONE (262) 957-2000 -- FAX (262) 957-2121
FIN 39-1657804

INVOICE NO: 033879

INVOICE DATE: 06/20/2007

INVOICE

CUSTOMER NO: 9012
CUSTOMER PH: 229-524-2560

YOUR ORDER NO: RESEARCH
OUR ORDER NO: CO07/06/190002-0000

BILL TO:

IRA LEE
602 E FIFTH STREET
DONALDSONVILLE GA
39845 USA

SHIP TO:

(DO) SIDNEY FOX
PH: 229-524-2724
3638 FOX LANE
DONALSONVILLE GA
39845 USA

TERMS: CASH #1: DISC:
CASH #2: DISC:
CASH #3: DISC:
CASH #4: DISC:

SHIPPED: 06/19/2007
SHIPPED VIA: CON-WAY FREIGHT (P
F.O.B.: MILWAUKEE
SHIPMENT NO: 030611 REF:
PRO NO: 748235283 CSR: CAL

NET DUE DATE: 07/20/2007

QTY ORDERED	QTY SHIPPED	QTY B.O.	ITEM NUMBER	UNIT PRICE US DOLLARS	EXTD PRICE US DOLLARS
25	25	0	8300	0.00	0.00
	LCO-C IF				

REMIT TO: PO BOX 13273
NEWARK, NJ 07101-3273

---

1 1/2% S/C ADDED PER MONTH ON INVOICES OVER 30 DAYS PAST DUE

SALES TOTAL:	0.00
SALES TAX	0.00
FREIGHT:	0.00
LESS:	0.00
OTHER CHARGES:	0.00
INVOICE TOTAL:	0.00
US DOLLARS	

T O T A L S

INVOICES FROM: 033879 THRU: 033879 TEXT NO: 1

G/L DISTRIBUTION SUMMARY

MASTER ACCOUNT NO	AMOUNT	D/C
TOTAL	0.00	D

INVOICE REPRINT SUMMARY	
1 INVOICES	0.00
0 CREDIT MEMOS	0.00
1 TOTALS	0.00

SALES TOTAL:	0.00
SALES TAX	0.00
FREIGHT:	0.00
LESS:	0.00
OTHER CHARGES:	0.00
INVOICE TOTAL:	0.00
US DOLLARS	

EXHIBIT 13

Signal & LCO Promoter Combination Effects

Corn Complementary Effect of Multiple Product Application

2006 Field Program - Corn Multi-application Summary

Treatment	Application	Grain yield (bu/A) 2006-76 Whitewater,WI	2006-77 Whitewater,WI	2006-CORN-4 York,NE	Mean	Response (% of control)
Control	None	173.6	160.7	206.5	**180.3**	
Revv	Seed	177.9	168.1	221.8	**189.3**	105.0
Torque	Furrow	176.0	164.2	216.9	**185.7**	103.0
Pivot	Foliar	181.0	161.8	213.6	**185.4**	102.8
Revv, Torque	Seed, furrow	179.1	170.4	215.9	**188.5**	104.5
Revv, Pivot	Seed, foliar	182.8	176.9	216.2	**192.0**	106.5
Torque, Pivot	Furrow, foliar	181.6	165.9	213.1	**186.9**	103.7
Revv,Torque,Pivot	Seed, furrow, foliar	189.5	176.8	219.5	**195.2**	108.3
Probability %		<0.1	<0.1	0.9059		
LSD 10%		4.9	5.6	16.8		
CV%		5.3	4.8	5.4		

*Foliar application at V4

Corn Complementary Effect of Multiple Product Application

EMD

Treatment	Application	Grain yield (bu/A) 2006-76 Whitewater,WI	2006-77 Whitewater,WI	Mean	Response (% of control)
Untreated Control	None	173.6	160.7	167.2	
Revv	Seed	177.9	168.1	173.0	103.5
Torque IF	Furrow	176.0	164.2	170.1	101.7
Pivot	Foliar	181.0	161.8	171.4	102.5
Revv & Torque IF	Seed, furrow	179.1	170.4	174.7	104.5
Revv & Pivot	Seed, foliar	182.8	176.9	179.9	107.6
Torque IF & Pivot	Furrow, foliar	181.6	165.9	173.7	103.9
Revv, Torque, Pivot	Seed, furrow, foliar	189.5	176.8	183.1	109.5
Probability %		<0.1	<0.1		
LSD 10%		4.9	5.6		
CV%		5.3	4.8		

*Foliar application at V4

Soybean Complementary Effect of Multiple Product Application

EMD

2006 Field Program - Soybean Multi-Application Summary
Agri-Tech Consulting, Whitewater, WI

Treatment	Application	Grain yield (bu/A) 2006-86	2006-87	Mean	Response (% of control)
Control	None	40.9	47.8	**44.3**	
Revv	Seed	43.5	51.0	**47.3**	106.8
Optimize	Seed	43.6	50.7	**47.2**	106.5
Revv + Optimize	Seed	41.9	48.2	**45.0**	101.6
LCO	Foliar	45.4	49.0	**47.2**	106.5
Revv / Pivot	Seed / Foliar	48.0	52.8	**50.4**	113.8
Optimize / Pivot	Seed / Foliar	46.3	53.2	**49.7**	112.2
Revv + Optimize / Pivot	Seed / Foliar	46.0	49.5	**47.8**	107.9
Probability %		<0.1	<0.1		
LSD 10%		1.8	1.3		
CV%		4.5	5.2		

*Nebraska location lost due to severe hail storm

Cotton LCO
On-Seed
vs.
In-Furrow

2005-2006 Cotton Field Program
LCO Seed Treatment

Location	Year	Seed Cotton Yield (lb/A) Control	Bolt
Tillar, AR	2005	3630	3716
Shoffner, AR		2957	3338
AR		2737	2534
Elko, SC		3947	4355
CA		3126	3287
Lonoke, AR	2006	1756	1852
Shoffner, AR		2746	2546
Groom, TX		2221	2137
Groom, TX		2377	2475
Chula, GA		2683	2648
Tifton, GA		1622	1648
Headland,AL		1437	2033
12 Trial Mean		**2603**	**2714**
Response (lb/A)			**111**
Response (% of control)			**104.3**
Positive response (%)			**66.7**

2004-2006 Cotton Field Program
LCO In-Furrow

Year	Cooperator	Location	Seed Cotton Yield (lb/a) Control	LCO
2004	Kimbrough	Lexington,MS	2,274	2,522
	Shoffner	Shoffner,AR	2,817	2,960
	Shoffner	Robinsonville,MS	1,770	1,634
	Coburn	Cheneyville,LA	2,353	2,545
2005	Shoffner	Shoffner,AR	3006	3236
2006	Holman	Lonoke, AR	1170	1287
	Shoffner	Shoffner, AR	2528	2506
	Case	Groom, TX	2337	2439
	Case	Wellington, TX	2687	3034
	Moore	Chula, GA	2439	2561
	Moore	Tifton, GA	1565	1667
	Reddy	Headland,AL	1437	3122
		12 Trial Mean	**2,199**	**2,459**
		Response (lb/A)		**260**
		Response (%)		**111.8**
		Positive response (%)		**83.3**

EXHIBIT 14

Weekly Report
Andy Steinberger

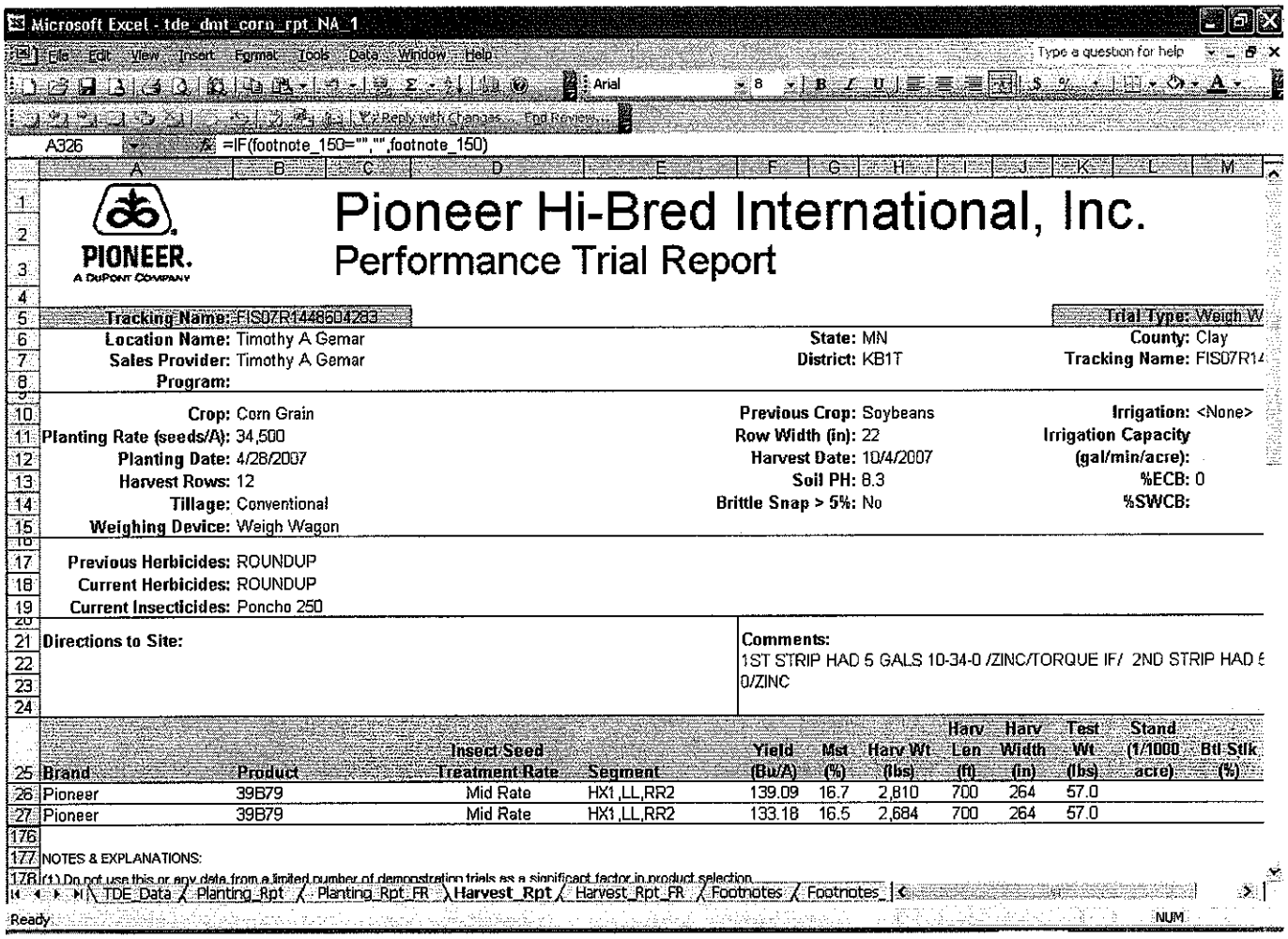
Monday: Office day

Tuesday: Dealer calls in the SE.

Wednesday: Dealer calls in Jamestown area. Some Cropland dealers are trying to order Optimize but prices are not up on Soar 21 yet.

Thursday: Have some hard data on Torque effect on corn. Nearly a 6 bu increase and $17/ac gross increase using the Pioneer formula.

Friday: Received many calls from dealers looking for Equip/Adv checks. Hope to deliver them soon. Majority of the soybeans are left to harvest in the central part of the state. We had rain most of the week, but weather looks better for next week.



Microsoft Excel - tde_dmt_corn_rpt_NA_1

File Edit View Insert Format Tools Data Window Help

A326 =IF(footnote_150="","",footnote_150)

PIONEER. A DuPont Company

Pioneer Hi-Bred International, Inc.

Performance Trial Report

Tracking Name: FIS07R1448604283			**Trial Type:** Weigh W
Location Name: Timothy A Gemar		**State:** MN	**County:** Clay
Sales Provider: Timothy A Gemar		**District:** KB1T	**Tracking Name:** FIS07R14
Program:			
Crop: Corn Grain		**Previous Crop:** Soybeans	**Irrigation:** <None>
Planting Rate (seeds/A): 34,500		**Row Width (in):** 22	**Irrigation Capacity (gal/min/acre):**
Planting Date: 4/28/2007		**Harvest Date:** 10/4/2007	**%ECB:** 0
Harvest Rows: 12		**Soil PH:** 8.3	**%SWCB:**
Tillage: Conventional		**Brittle Snap > 5%:** No	
Weighing Device: Weigh Wagon			
Previous Herbicides: ROUNDUP			
Current Herbicides: ROUNDUP			
Current Insecticides: Poncho 250			

Directions to Site:

Comments:
1ST STRIP HAD 5 GALS 10-34-0 /ZINC/TORQUE IF/ 2ND STRIP HAD 5 0/ZINC

Brand	Product	Insect Seed Treatment Rate	Segment	Yield (Bu/A)	Mst (%)	Harv Wt (lbs)	Harv Len (ft)	Harv Width (in)	Test Wt (lbs)	Stand (1/1000 acre)	Btl Stlk (%)
Pioneer	39B79	Mid Rate	HX1,LL,RR2	139.09	16.7	2,810	700	264	57.0		
Pioneer	39B79	Mid Rate	HX1,LL,RR2	133.18	16.5	2,684	700	264	57.0		

NOTES & EXPLANATIONS:
(1) Do not use this or any data from a limited number of demonstration trials as a significant factor in product selection.

TDE_Data / Planting_Rpt / Planting_Rpt_FR / Harvest_Rpt / Harvest_Rpt_FR / Footnotes / Footnotes_

Ready NUM

Weekly report: 9-29-2007 Bill Hotchkiss

Monday- International Sales Meeting

Tuesday- International Sales Meeting

Wednesday- International Sales Meeting

Thursday- International Sales Meeting

Friday- International Sales Meeting

Saturday- BBQ at Nebraska football game with United Suppliers

I had the opportunity to serve over 150 dealers from across Nebraska and Iowa for the Nebraska – Iowa State football game. This was one of the best BBQ's that I have had. I was introduced to many key dealers who were the head of Agronomy for the dealerships. Gene Liebig, Larry Stolz, Paul Kolterman, Jim Mahoney, Dave Wolthuis and I talked to many dealers about Wave, Torque, Pivot and Optimize. They supported us well.

Many dealers realized that we could do these BBQ's at their dealerships to promote seed treatments and get farmers into their facilities to meet the farmer's needs in the spring. I am looking forward to this year. The dealers who were at the BBQ are optimistic about this upcoming year. Prices are high and farmers are in a good mood.

My Torque complaint was harvested this last week while we were in Amelia Island and the field had a difference of 4 bushels where the Torque was used (CK – 176.5 @16.8% and Torque – 180.2 @ 17.2%). This is a positive piece of data, however the farmer will not use Torque until the problem with compatibility is solved and he is comfortable with the improvements we have mad to the product.

Next week:

Monday- Office and get together with Gretna Coop who has a Torque field out

Tuesday- Get together with Torque dealers who have plots out

Wednesday- Get together with Torque dealers who have plots out

Thursday- Travel to Iowa to see dealers

Friday- Iowa dealer calls

Weekly report 09-08-2007 Kyle Luther

Monday- Holiday.

Tuesday- Dealer calls and travel to Illinois.

Wednesday- Distributor calls with Dave Gentry at Growmark office in Bloomington, where I presented Wave and new products for 2008 along with a recap from 2007 along with Optimize Gold. Growmark would like to talk about LCO promoter Technology to their customers both in Optimize and Optimize Gold as they will be buying that in the W-L Alfalfa line this year. I met with Winfield Solutions LLC account manager Jeff Dollahon on Pivot and Torque.

Thursday- I met Helena Branch Manger for Northern Illinois and Wisconsin and updated him on Wave, Pivot, and Torque also we discussed new opportunities for Optimize in 2008. I made dealer calls in central Illinois. When meeting with Mike Frederickson the Seed Sales Agronomist with Grainco FS, told me they were going to brand their seed treatment with a name like Graincoat with LCO Promoter Technology.

Friday- Office.

Next week:

Monday- Office

Tuesday- I will travel to Galena, Illinois for United Suppliers outing with Byron Blekeberg.

Wednesday- United Suppliers outing in Galena.

Thursday- United suppliers outing in Galena.

Friday- Travel home/office.

Weekly report: 9-01-2007 Bill Hotchkiss

Monday- Train Steve McManaman with Agriliance on Wave, Torque and Pivot in the morning up in Norfolk Nebraska. Travel and participate in a plot tour with Rich Uhl (Uhl Feed Store, Pioneer Seeds) in Smithland Iowa.

Tuesday- Train the Helena group out of Fremont Nebraska on Wave, Torque and Pivot in the morning (6 representatives were in attendance). Later that evening I participated in a plot tour with Kevin Koenig (Norder Agri-Supply, Pioneer Seeds) in Wayne Nebraska and a tour later that night with Terry Richards (Richards Ag Agency, Pioneer Seeds) in Oakland Nebraska

Wednesday- Train the United Suppliers group in Ashland Nebraska on Wave, Torque, and Pivot. We had three reps attend. We had a golf outing afterward the meeting.

Thursday- Train Mike Swartz with Agriliance on Wave, Torque, and Pivot in the morning in Omaha Nebraska. Travel to North Bend Nebraska for a plot tour with Frontier Cooperative that night.

Friday- Training with Mike Podany with Creston Fertilizer on Optimize, Wave, Torque, and Pivot. He had talked to Kevin Koenig and was going to switch all of his inoculant products to Optimize.

Training has gone very well with Wave. There is enthusiasm with the product, the price is right. The main pushback I got was the rate of 15 fl. oz. per 100 lbs of wheat. I had some Wave that was sent to me in the spring (I thought it would be bad, because of the heat), and we are using it to show the dealers that the product is not too wet at the 15 fl. oz. rate. We are also using it to calibrate the treaters that will apply Wave.

I will follow up with key dealers to help push the product out the door. Each distributor rep has identified 1-2 dealers who should be using this product. These are the dealers I want talk to first.

Agriliance has a new name (Winfield Solutions L.L.C.). People are still up in the air on what they will be doing. I told all of the Agriliance reps they would be handling Wave.

Next week:

Monday- Holiday
Tuesday- Training with Susan Study-Steinbach from Winfield Solutions and Dale Van Houten from United Suppliers
Wednesday- Training with Max Richardson from Arrow Seed in Broken Bow, NE
Thursday- Training with Tim Nilles with Van Diest in Webster City Iowa
Friday- Office time

SWF WEEKLY REPORT

Weekly Report: September 1, 2007

CONTACT	INFORMATION	
Sunbelt Expo **Moultrie, GA**	**Harvested Torque Corn Research Plots** **Variety – N83-V3** **Planted 3/21/07** **Harvested 8/27/07** **Replicated 3 times**	
	INFURROW (IF)	**BU/A**
	UNTREATED CHECK	**161**
	TORQUE IF 16 oz/A	**178**
	TORQUE IF 16 oz/A + **NI-65 IF 16 oz/A**	**167**
	TORQUE IF 8 oz/A + **NI-65 IF 8 oz/A**	**170**
	NI-65 IF 16 oz/A	**160**
	SIDE DRESSED (SD)	**BU/A**
	UNTREATED CHECK	**161**
	TORQUE IF 16 oz/A + **TORQUE SD 16 oz/A**	**143**
	TORQUE IF 16 oz/A + **NI-65 IF 16 oz/A** **TORQUE SD 16 oz/A+** **NI-65 SD 16 oz/A**	**164**
	TORQUE IF 8 oz/A + **NI-65 IF 16 oz/A** **TORQUE SD 8 oz/A+** **NI-65 SD 8 oz/A**	**162**
	NI-65 IF 16 oz/A + **NI-65 SD 16 oz/A**	**160**

SWF WEEKLY REPORT

	Harvested Torque Corn Research Plots **Variety – N83-V3** **Planted 3/21/07** **Harvested 8/27/07** **Replicated 3 times**
	APPLIED DIRECTLY ON FOLIAGE (DF) **BU/A**
	UNTREATED CHECK **161**
	TORQUE DF 16 OZ/a **168**
	TORQUE DF 16 oz/A+ NI-65 16 oz/A **148**
	I-65 DF 16 oz/A **177**
CONTACT	**INFORMATION**
N. Florida Research & Education Center Quincy, FL	**Discussed and established with Dr. David Wright to test Wave at 9 oz/bushel on rye, oats, and wheat for winter grazing. Across the southeast there are more acres of these 3 small grains for grazing than there is for grain production year in and year out.** **Dr. Ann Blount at the North Florida Research & Education Center in Marianna will be doing the test work and Dr. David Wright will be doing the wheat production programs at the county extension offices across Florida.** **I need 25 research containers of Wave as soon as possible for Alabama, Florida, North Carolina, South Carolina, and Virginia. Florida will begin planting the wheat, rye, and oat research plots around the first of October for grazing in Florida.**

SWF WEEKLY REPORT

CONTACT	INFORMATION
	I will be meeting with Dr. Blount and Dr. Wright when I take the Wave for the research plots to discuss the type of data that will be collected from each crop.
Helena Chemimcal Douglas, GA	**Met with Wes Page, Helena Chemical, Douglas, GA, and traveled to Wayne Harley farm and looked at a 42 acre field of yellow peanuts. The peanuts had some nodules on them. My recommendation was that they apply 100 units of ammonium sulfate as soon as possible.**
Cotton Tests Sunbelt Expo Moultrie, GA	**Dug Bolt infurrow, Bolt seed treatment, and Untreated Check plants and counted the number of bolls, squares, and flowers on each plant.** **Bolt infurrow – 16 oz/A** **Bolls Squares Flowers** **34 14 2** **Bolt seed treatment - 4 oz/cwt(0.28 oz/A)** **Bolls Squares Flowers** **25 4 2** **Untreated Check** **Bolls Squares Flowers** **28 4 1**

Pioneer meeting 08/24/2007

Scott Jungman, Becky Greenwald from Pioneer and Allan Basnight and Francis Leier were present from EMD Crop BioScience.

Objective of the meeting: Scott Jungman would like to place 40 to 100 more treaters in the area of Nebraska, Iowa, Missouri, and Kansas. He wants us to make sure that his agents have the right equipment (2nd mix tank) for the treaters and that we have funding for them. Becky covers Illinois, Indiana, Ohio and everything east of the Mississippi for Pioneer. Linda W covers the Northern Region for Pioneer and she was absent.
Scott has teamed up with Bayer and will be promoting to the new treaters Gaucho, Trilex, Cell Guard and Allegiance. He also wants to promote Optimize in this mix.

We discussed moving the current equipment allowance from $500 to $800 dollars as a special offer for the Pioneer reps who need the second mix tank from Bayer Seed Treatment. We committed to this. Scott is going to have 3 conference calls on seed treating next week and we are invited to be on them to answer any questions his reps have on Optimize.

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Scott, Becky and Linda are all services managers. They expressed interest in seeing our facilities and learning more about the new technologies from EMD Crop BioScience for corn, soybeans, wheat and alfalfa. Allan and I invited them to visit with us in Milwaukee, and I will work with them on the dates for the meeting.

Progress is being made with Pioneer and in my opinion we finally have someone to champion the cause in the "I" states.

Pioneer meeting 08/24/2007

Scott Jungman, Becky Greenwald from Pioneer and Allan Basnight and Francis Leier were present from EMD Crop BioScience.

Objective of the meeting: Scott Jungman would like to place 40 to 100 more treaters in the area of Nebraska, Iowa, Missouri, and Kansas. He wants us to make sure that his agents have the right equipment (2nd mix tank) for the treaters and that we have funding for them. Becky covers Illinois, Indiana, Ohio and everything east of the Mississippi for Pioneer. Linda W covers the Northern Region for Pioneer and she was absent.
Scott has teamed up with Bayer and will be promoting to the new treaters Gaucho, Trilex, Cell Guard and Allegiance. He also wants to promote Optimize in this mix.

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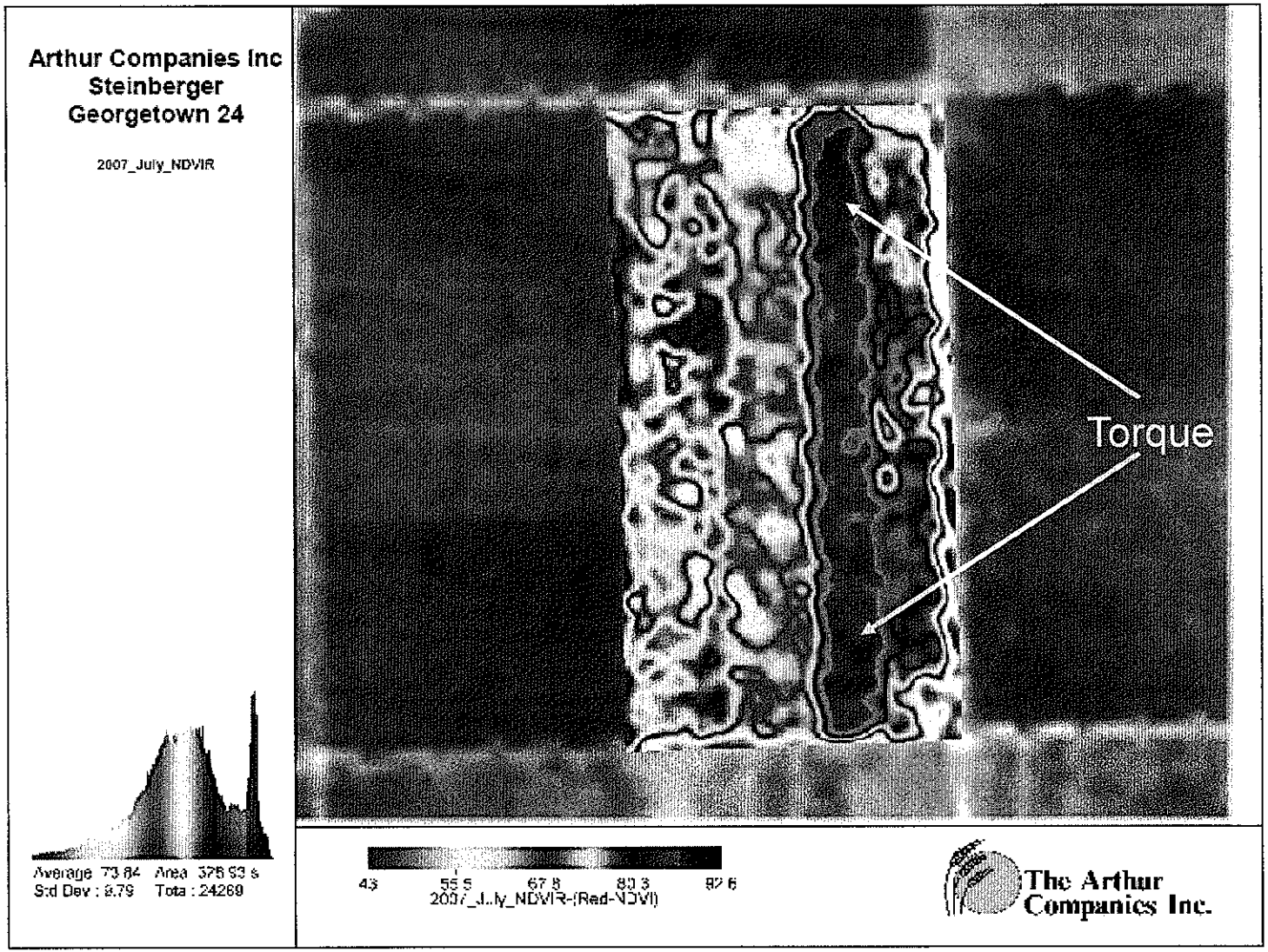
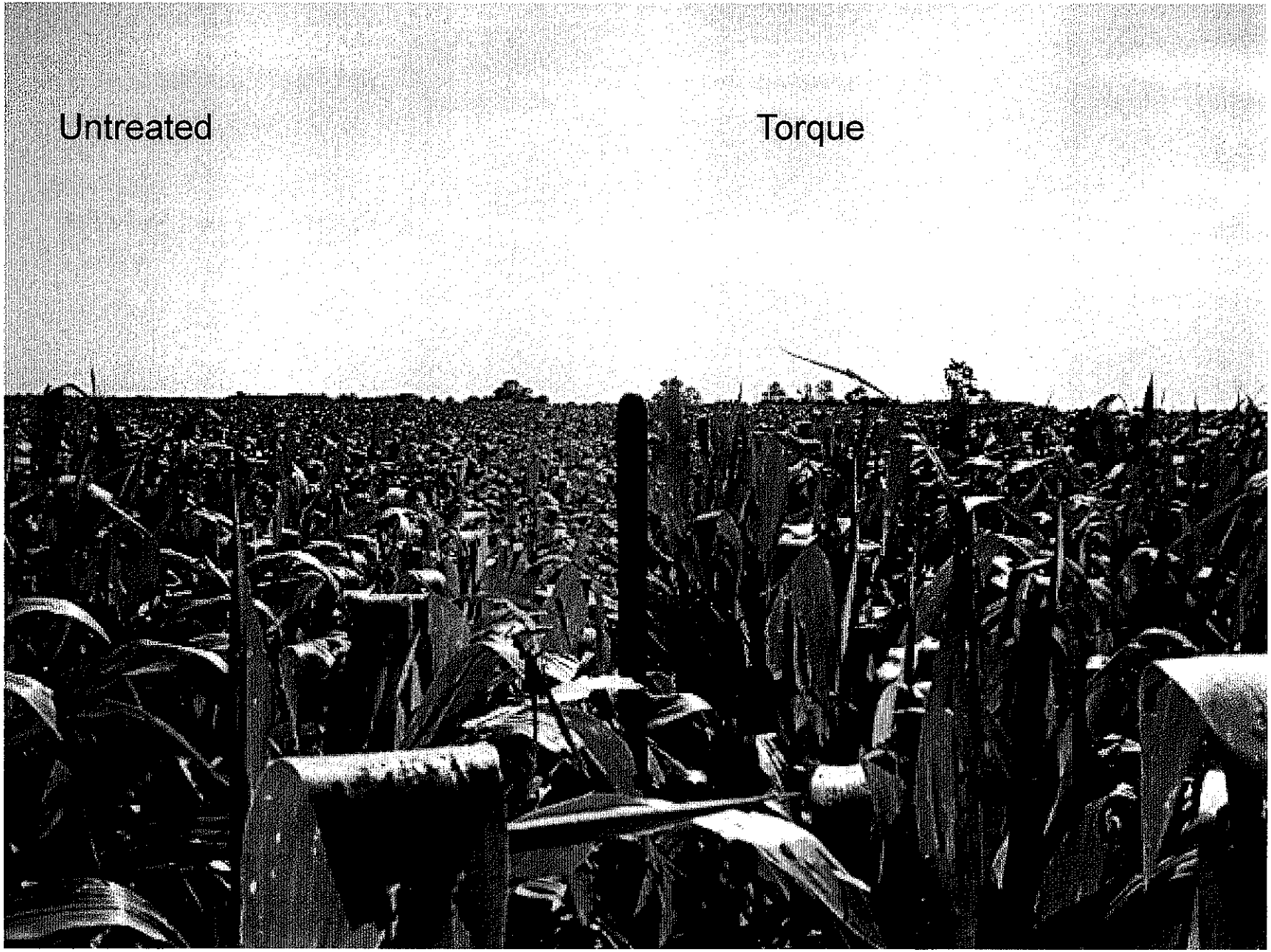
EXHIBIT 15

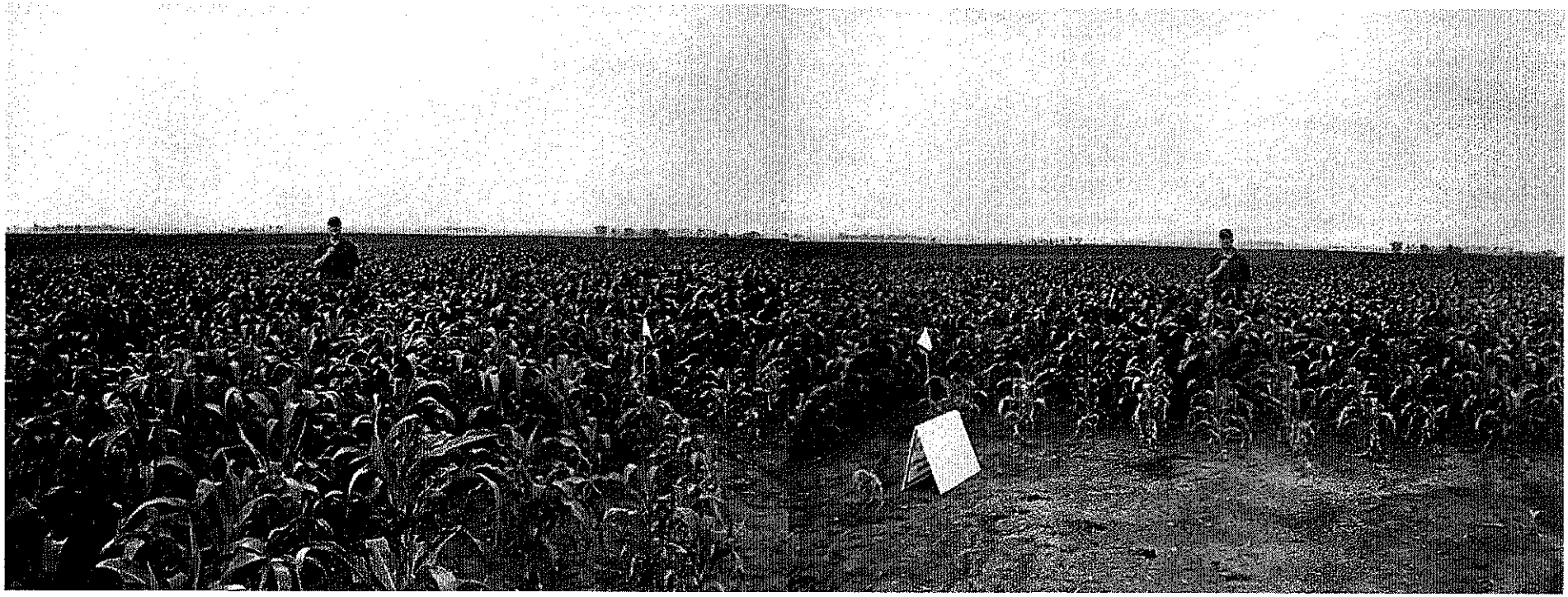
Satellite Image

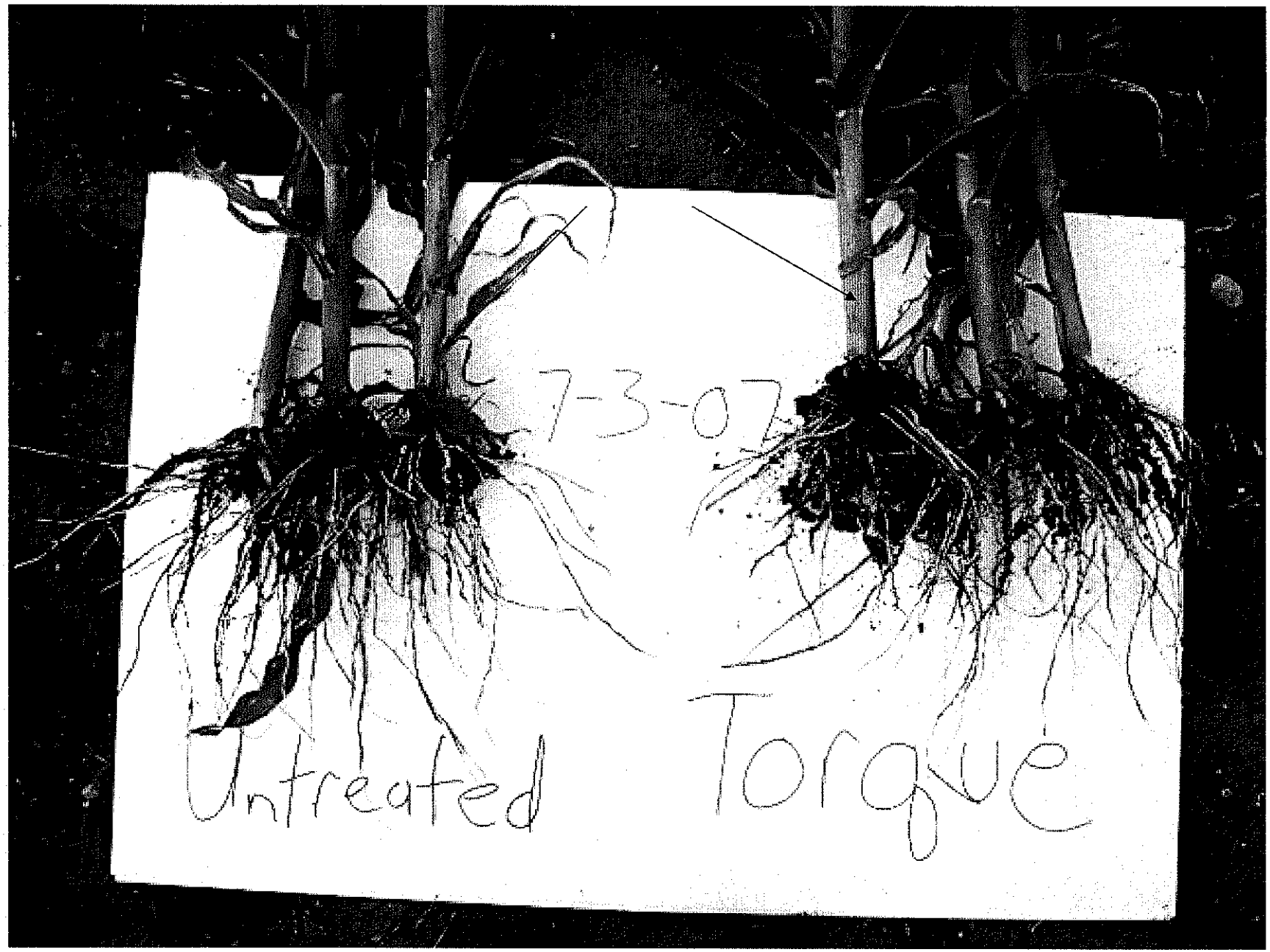


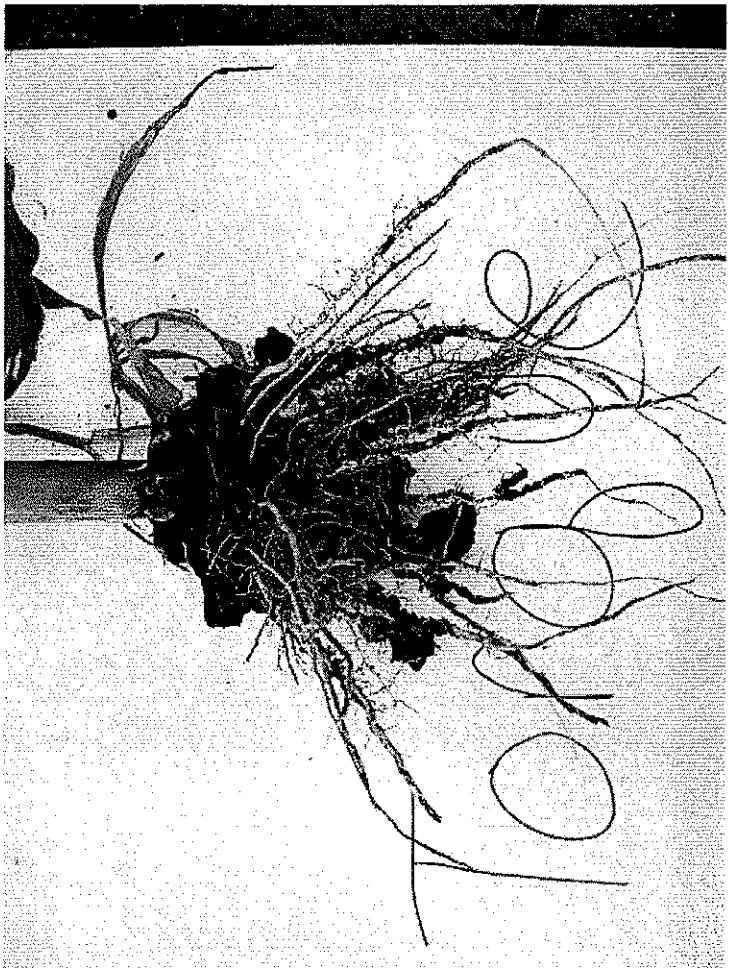

Untreated
Torque

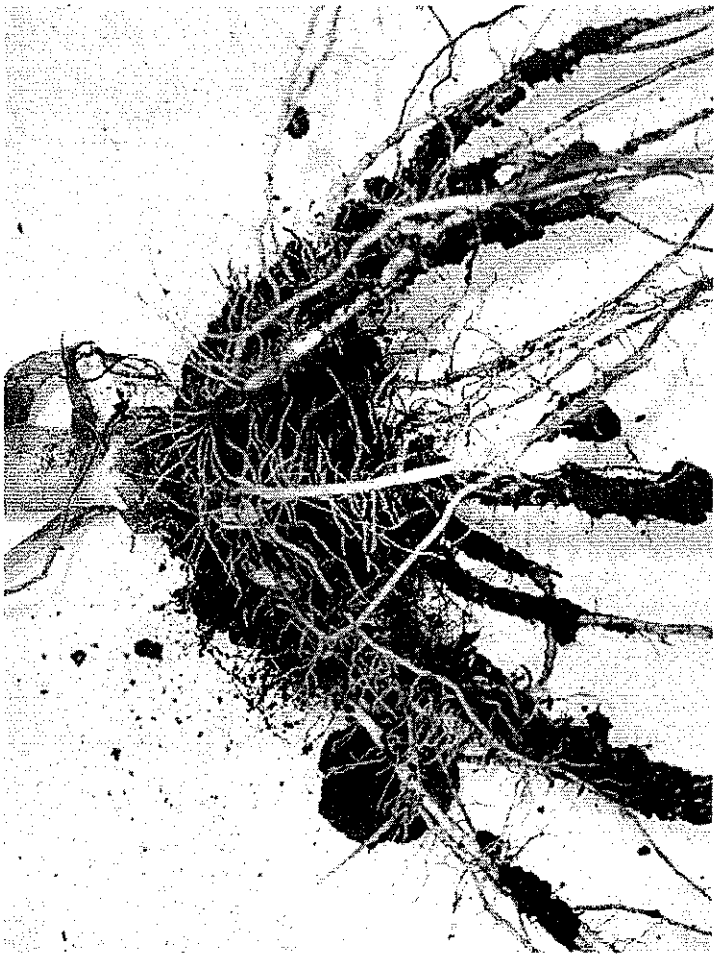
Untreated

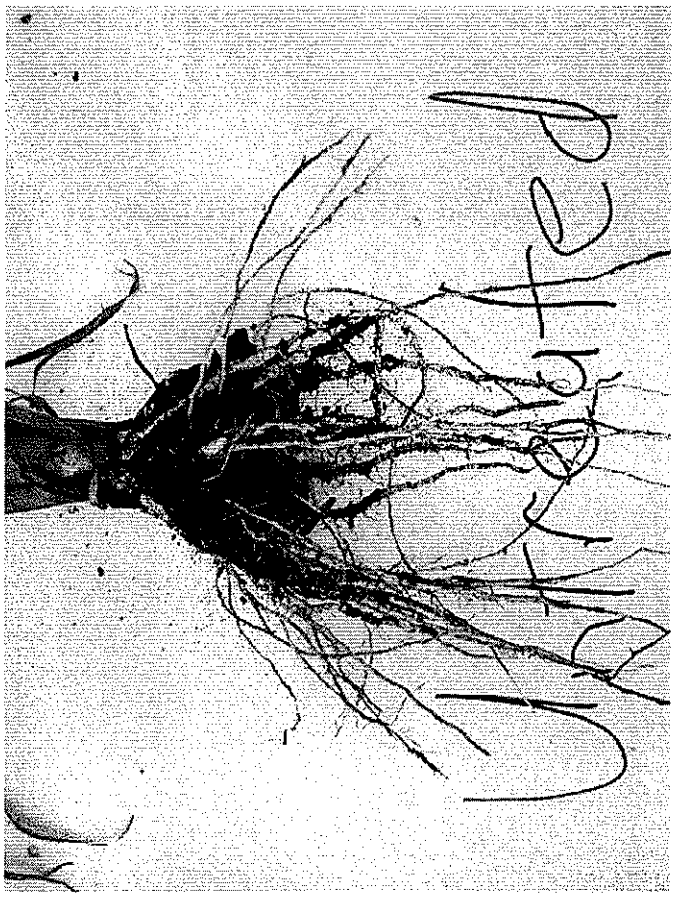
Torque




7-3-07
Untreated
Torque

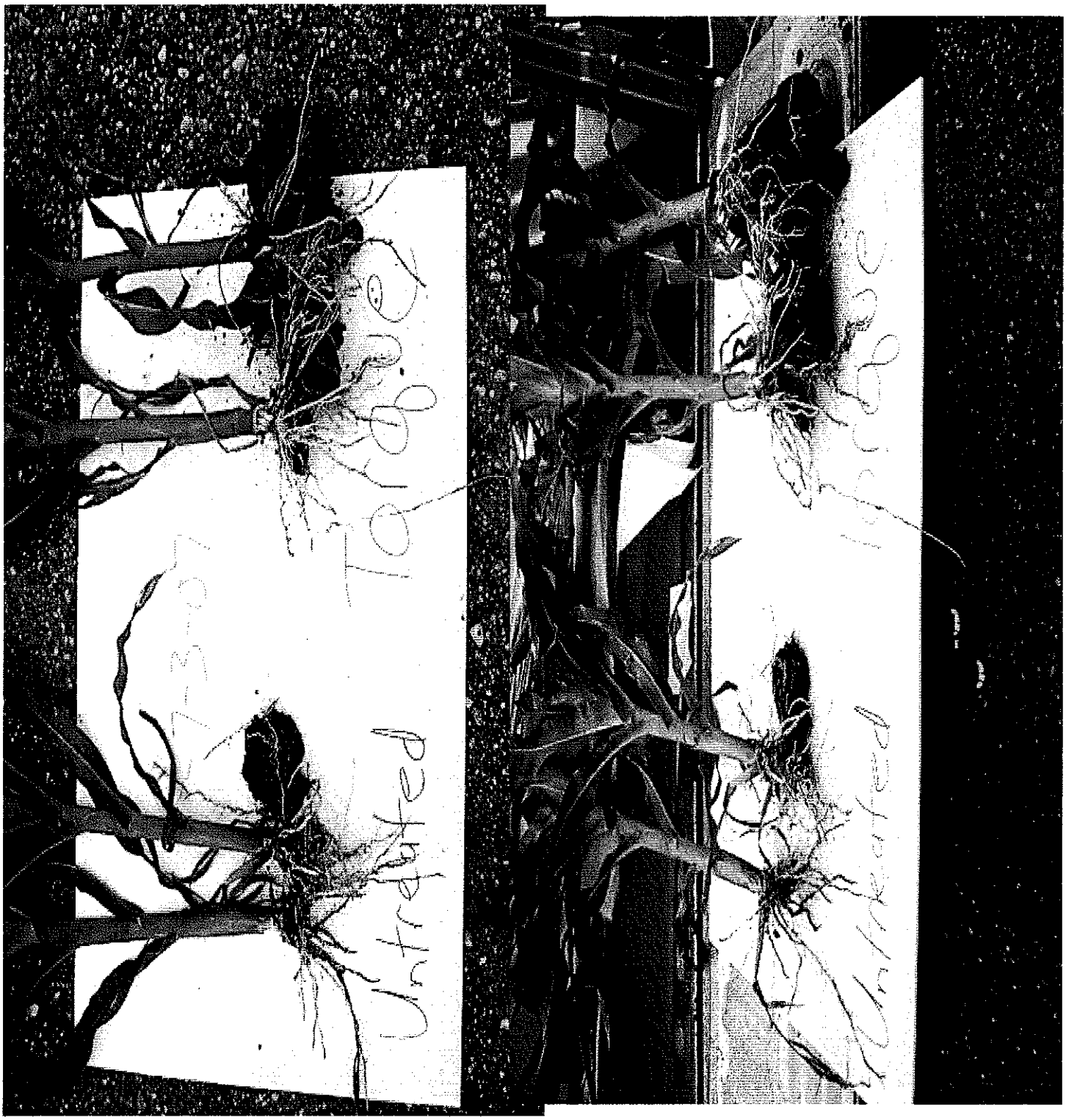






Untreated

Torque

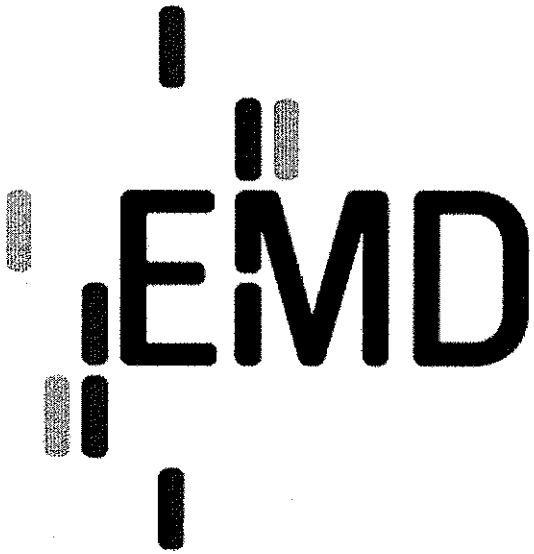


Torque

Pollinated

Untreated

EXHIBIT 16



R&D Overview
Dr. Rob Osburn

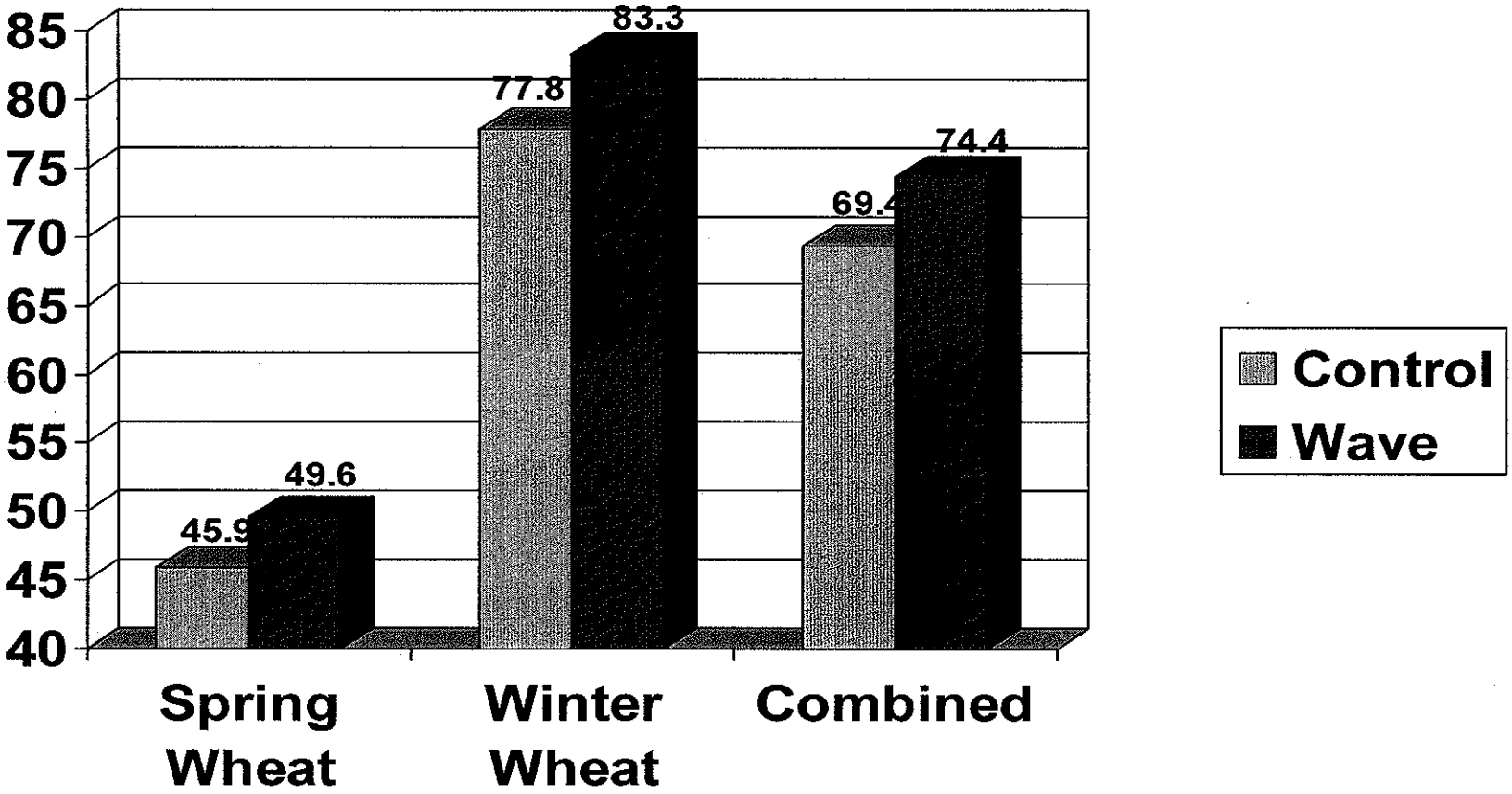
August 16, 2007

Fall 2007/2008 New Products

EMD

- Wave – Wheat/Barley Seed Treatment
- Torque – Corn In-Furrow
- Jewel – Tomato Foliar
- Pivot – Corn/Soybean Foliar
- LCO Foliar - Alfalfa

Three Year Wave Yield Summary on Wheat



Mean of 38 trials.

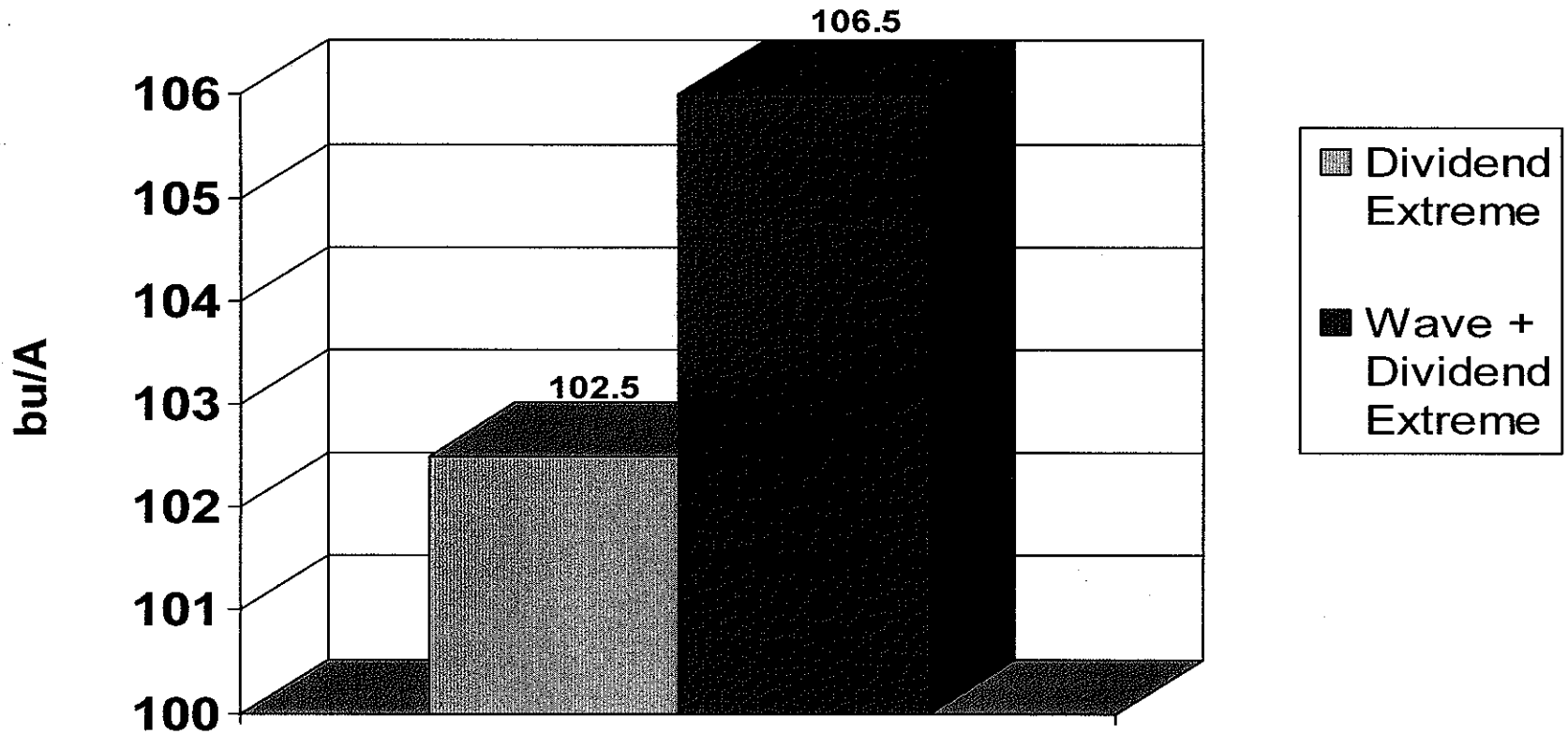
Season-long Benefits of Wave on Growth of Wheat

Trial	Seed treatment	Z90 Harvest @13% grain yield	Z31 Early vigor greenup	Z31 Plant density	Z50 Chlorophyll rating	Z90 Harvest head density	Z90 Harvest tiller density	Z90 Harvest grain seeds	Z90 Harvest straw yield	Z90 Harvest plant height
		bu/acre	1-9	**/sqft**	**actual**	per plant	tillers/plant	per head	lb/acre	inch
2007-02	Control	87.2	7.5	29.0	30.5	2.6	2.7	28.5	3345.5	31.5
	Wave	94.3	7.8	29.8	30.8	2.9	3.0	31.0	3636.4	33.0
Probability %		<0.1	6.1	7.5	12.4	9.9	11.4	2.7	6.2	12.9
LSD 10%		3.9	0.5	1.8	NS	0.3	NS	2.1	129.7	NS
CV%		3.4	14.9	20.3	27.4	12.8	14.2	22.7	20.7	10.1
2007-03	Control	90.7	7.5	29.0	29.8	2.5	2.6	27.0	3181.8	33.0
	Wave	94.8	8.5	29.0	31.3	2.8	2.8	30.5	3254.6	33.5
Probability %		<0.1	1.6	>50	9.1	8.4	8.3	3.1	8.8	15.4
LSD 10%		4.0	0.3	NS	0.6	0.2	0.2	2.4	159.2	NS
CV%		6.2	8.1	1.2	8.7	9.1	9.3	17.3	22.7	6.1
2007-04	Control	92.6	7.5	31.8	32.3	3.0	3.1	31.0	4045.5	32.8
	Wave	95.7	8.8	32.0	33.3	3.2	3.2	33.0	4481.8	34.5
Probability %		<0.1	5.8	>50	19.6	1.1	26.8	6.6	8.8	7.1
LSD 10%		1.6	0.6	NS	NS	0.1	NS	0.4	159.2	1.1
CV%		3.1	6.3	1.6	11.7	7.4	8.1	7.1	22.7	12.9
2007-05	Control	90.9	7.3	28.5	29.3	2.8	2.9	29.5	3727.3	30.8
	Wave	96.3	7.8	29.5	30.5	3.2	3.2	31.0	4209.1	31.3
Probability %		<0.1	7.7	15.2	23.9	6.3	6.4	17.2	<0.1	23.9
LSD 10%		2.1	0.4	NS	NS	0.2	0.2	NS	213.5	NS
CV%		4.4	9.1	13.4	22.1	11.7	12.4	12.8	18.7	15.1

Vigor ratings are based on a 1-9 scale where 1 is poorest vigor and 9 is best vigor.

Wave Effect on Wheat Growth – Corsica, SD

2007 Wave Yield Results – Jim Beuerlein / Ohio State



2006 Torque Furrow Application Summary on Corn

EMD

Location	Grain yield (Bu/A) Control	LCO
Whitewater,WI	190.5	195.4
Whitewater,WI	160.3	164.0
Whitewater,WI	173.6	176.0
Whitewater,WI	160.7	164.2
York,NE	214.8	220.8
York,NE	206.5	216.9
Mean	184.4	189.5
P(X)		0.0035
Response (bu/A)		5.1
Response (%)		102.8
Positive response (%)		100

***LCO applied with starter fertilizer at use rate of 1 fl oz/1000 ft**

2007 Torque Furrow Application on Corn

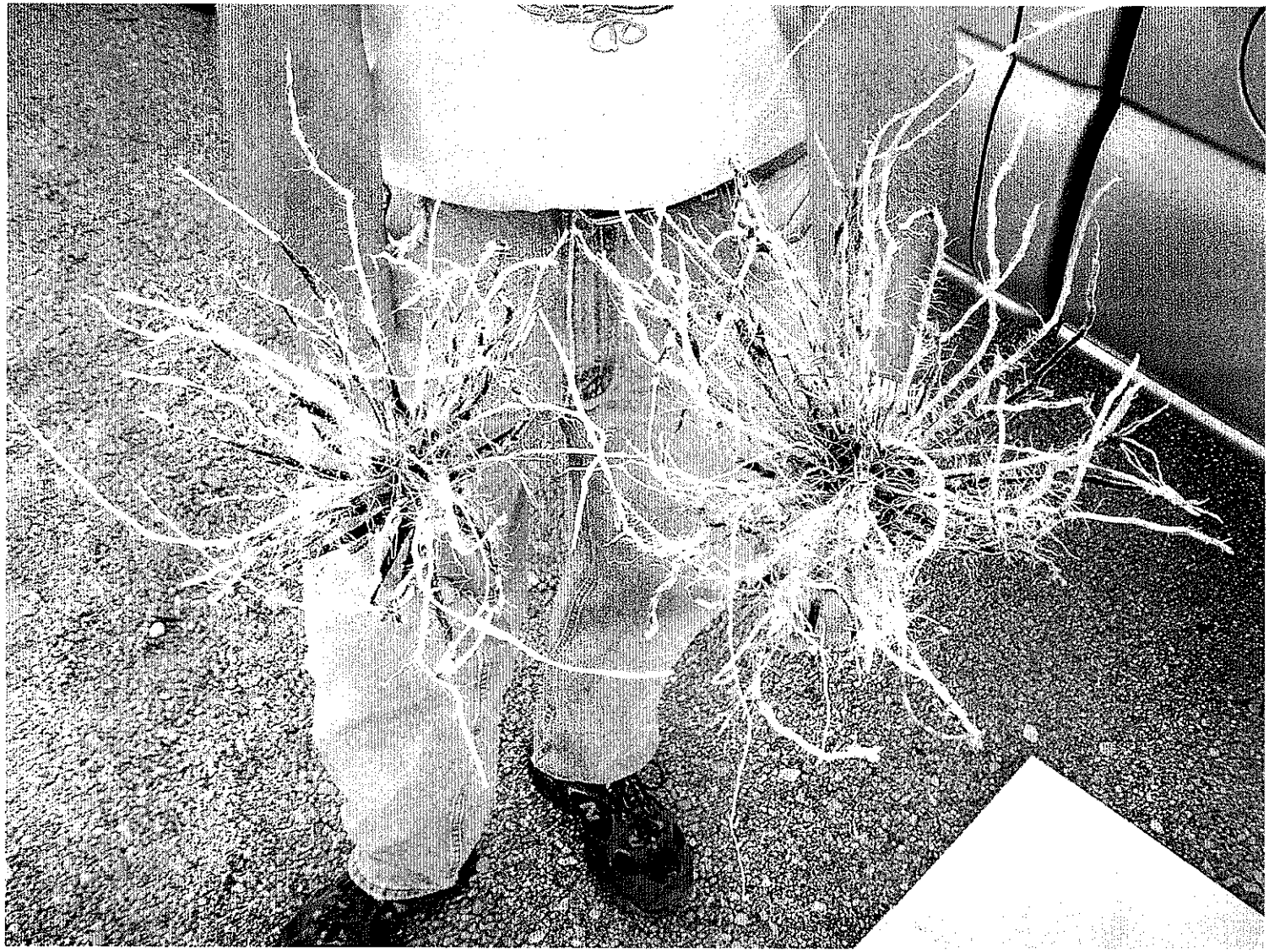
Control

Torque

2007 Torque Furrow Application on Corn

Torque Effect on Corn Root Growth

EMD



Pivot Foliar Effect on Corn Yield

EMD

2004-2006 LCO Foliar on Corn* - Summary

Year	Cooperator	Trial	Location	Control	Pivot
2004	Agri-Tech	2004-42	Whitewater,WI	162.5	174.0
	Agri-Tech	2004-43	Whitewater,WI	210.0	215.8
2005	Agri-Tech	2005-23	Whitewater,WI	206.0	207.4
	Agri-Tech	2005-24	Whitewater,WI	162.6	173.9
2006	Agri-Tech	2006-72	Whitewater,WI	188.6	195.2
	Agri-Tech	2006-73	Whitewater,WI	172.6	169.5
	Agri-Tech	2006-76	Whitewater,WI	173.6	181.0
	Agri-Tech	2006-77	Whitewater,WI	160.7	161.8
	Midwest Research		York,NE	216.7	221.5
	Midwest Research		Osceola,NE	192.4	189.4
	Midwest Research		York,NE	206.5	213.6
	Viger Ag Research		Fergus Falls,MN	139.8	143.4

* Application timepoint - V4

12 Trial Mean	**182.7**	**187.2**
P(x)		**0.0075**
Response (bu/A)		**4.5**
Response (%)		**102.5**
Positive response (%)		**83.3**

Complementary Effect of Multiple Product Application

2006 Field Program - Corn Multi-application Summary

		Grain yield (bu/A)				
Treatment	Application	2006-76 Whitewater,WI	2006-77 Whitewater,WI	2006-CORN-4 York,NE	Mean	Response (% of control)
Control	None	173.6	160.7	206.5	**180.3**	
Revv	Seed	177.9	168.1	221.8	**189.3**	105.0
Torque	Furrow	176.0	164.2	216.9	**185.7**	103.0
Pivot	Foliar	181.0	161.8	213.6	**185.4**	102.8
Revv, Torque	Seed, furrow	179.1	170.4	215.9	**188.5**	104.5
Revv, Pivot	Seed, foliar	182.8	176.9	216.2	**192.0**	106.5
Torque, Pivot	Furrow, foliar	181.6	165.9	213.1	**186.9**	103.7
Revv,Torque,Pivot	Seed, furrow, foliar	189.5	176.8	219.5	**195.2**	108.3
Probability %		<0.1	<0.1	0.9059		
LSD 10%		4.9	5.6	16.8		
CV%		5.3	4.8	5.4		

*Foliar application at V4

Pivot Foliar Effect on Soybean

EMD

2004-2006 LCO Foliar on Soybean* - Summary

Year	Cooperator	Trial	Location	Control	Pivot
2004	Agri-Tech	2004-30	Whitewater,WI	48.7	51.7
	Agri-Tech	2004-31	Whitewater,WI	52.0	54.3
2005	Beuerlein/OSU	2005-C1	Mercer Co., OH	42.3	46.6
	Beuerlein/OSU	2005-C2	Delaware Co., OH	51.8	56.7
	Agri-Tech	2005-37	Whitewater,WI	53.0	58.8
	Agri-Tech	2005-38	Whitewater,WI	56.2	59.7
2006	Beuerlein/OSU	2006-S2	Clinton Co., OH	71.7	74.6
	Agri-Tech	2006-85	Whitewater,WI	39.3	42.8
	Agri-Tech	2006-86	Whitewater,WI	40.9	45.4
	Agri-Tech	2006-87	Whitewater,WI	47.8	49.0
			10 Trial Mean	**50.4**	**54.0**
			P(x)		**0.00001**
			Response (bu/A)		**3.6**
			Response (%)		**107.1**
			Positive response (%)		**100.0**

* Application timepoint - V3-V4

Complementary Effect of Multiple Product Application

EMD

2006 Field Program - Soybean Multi-Application Summary
Whitewater, WI

Treatment	Application	Grain yield (bu/A) 2006-86	2006-87	Mean	Response (% of control)
Control	None	40.9	47.8	44.3	
Optimize	Seed	43.6	50.7	47.2	106.5
Pivot	Foliar	45.4	49.0	47.2	106.5
Optimize / Pivot	Seed / Foliar	46.3	53.2	49.7	112.2
Probability %		<0.1	<0.1		
LSD 10%		1.8	1.3		
CV%		4.5	5.2		

2007 Field Program Overview

2007 EMD Crop BioScience Field Development Activities

Technology	Application	Soybean	Peanut	Pea	Alfalfa	Bean	Garbanzo	Corn	Cotton	Wheat	Barley	Rice	Sugar beet	Sugar cane	Canola	Sunflower	Potato	Sweet corn	Tomato	Pepper	Eggplant
LCO	Seed	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓			✓			
Revv		✓		✓	✓	✓		✓	✓	✓	✓	✓	✓		✓			✓			
Biochemical		✓						✓	✓			✓	✓		✓			✓			
PGPR/Microbial		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓			✓			
LCO	Furrow		✓	✓				✓					✓			✓	✓				
Biochemical								✓					✓			✓	✓				
PGPR/Microbial			✓	✓				✓					✓			✓	✓				
LCO	Foliar	✓			✓			✓	✓				✓	✓	✓	✓	✓		✓	✓	✓
Biochemical		✓			✓			✓	✓				✓	✓	✓	✓	✓		✓	✓	✓

R&D Overview

EMD

Thank you!

Questions?

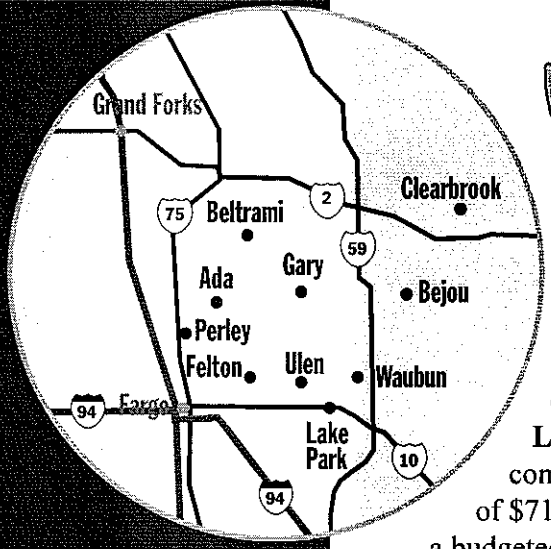
EXHIBIT 17

The PARTNER

Triangle Ag — Solutions To Grow On

Fall 2007

Solutions To Grow On



Wes Sez—The End and a New Beginning

By Wes Roll, COO/GM

As summer ends and the fall harvest season begins, the second fiscal year of **Triangle Ag, LLC** comes to an end. This company posted record sales of $71.2 million compared to a budgeted $63.8 million for July-ending. Along with this, profitability was on track as expected in this very challenging marketplace.

Our crop nutrient division performed very well, producing sales of over 108,000 tons combined. This exceeded projections by over 20,000 tons. Unexpected growth like this stressed our supply and related fertilizer services beyond our expectations. The crop shift to more corn was a major factor.

Because of this demand and growth, the Triangle Ag board recently authorized an 18,000-ton addition to our dry fertilizer hub plant. Construction is also underway of over 1.5 million gallons of liquid fertilizer (mainly 10-34-0) storage in Ulen. These projects will ensure we can offer "supply assurance" to cover the needs of this growing company and its patrons.

Other year-end results

Our seed division had growth that exceeded our expectations by over $1.0 million. Contributing to that growth was the repositioning of our seed assets in Ada, along with the area crop shift to more corn. Our Samson wheat seed was a hit and looks like a winner as more harvest reports come in.

Controlling pests this year proved to be a little less stressful than last year for

Continued on Page 2

Triangle Ag, LLC Directory

Business Office	
Ulen	888-731-8937
	218-596-8830
Agronomy Centers	
Ada	218-784-7129
Ada (Seed)	218-784-2444
Bejou	218-935-9356
Beltrami	218-926-5557
Clearbrook	218-776-3793
Felton	218-494-3950
Gary	800-368-8965
	218-356-8515
Lake Park	866-600-1007
	218-238-5784
Perley	218-861-6562
Ulen	218-596-8830
Waubun	218-473-2125

Weather Could Affect Seed Production

By Kevin Harder, Seed Department Manager

As you drive around the trade area, you'll see some pretty impressive-looking fields with yields that we hope will measure up accordingly. However, you don't have to travel too far south to notice stress from weather conditions, mainly lack of moisture, affecting crops. Corn, especially, has been challenged.

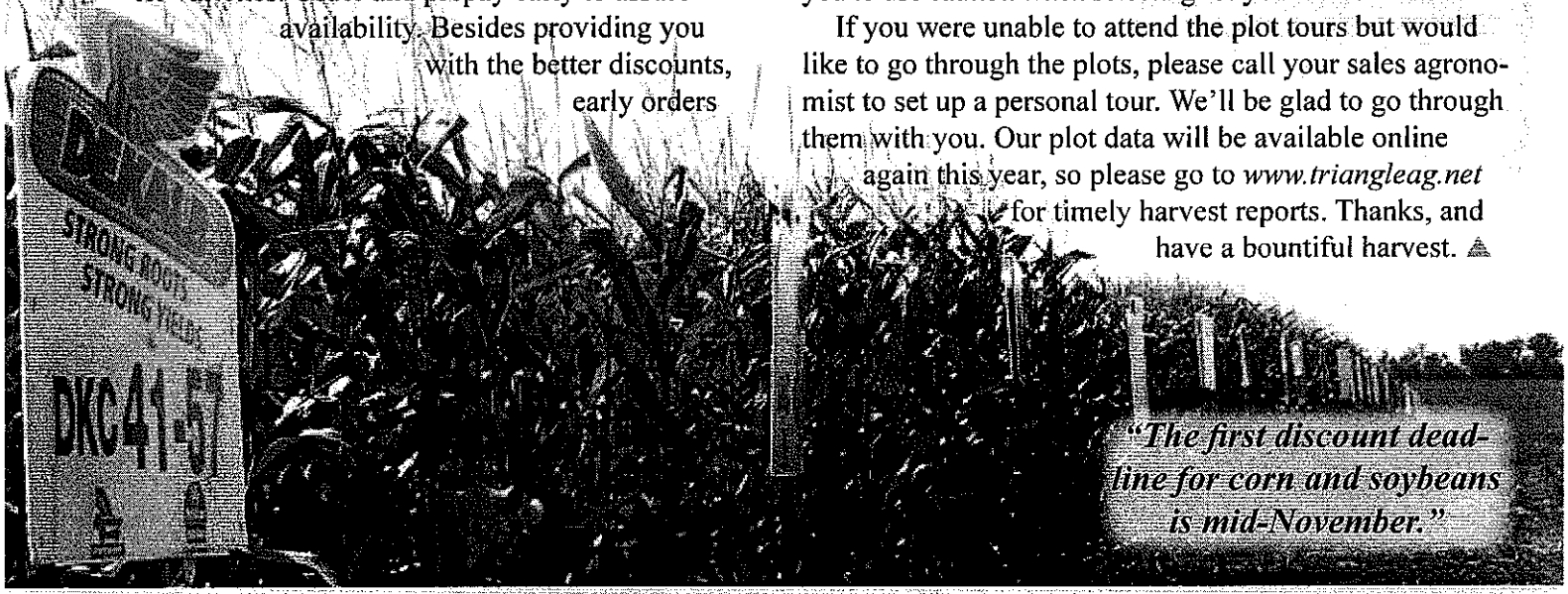
These dry conditions will have some impact on corn seed production for the 2008 crop. A tight supply similar to last year can be expected. So I encourage you to keep in contact with your sales agronomist for product availability, as the better-yielding varieties and genetics will sell out quickly. Ordering and prepaying your seed needs early will get you the best seed discounts.

Soybean seed will also be in tight supply on the better varieties. Order and prepay early to assure availability. Besides providing you with the better discounts, early orders allow us to better order your seed needs. The first discount deadline for corn and soybeans is mid-November. Please call me or your salesperson for exact dates.

Wheat yields have been average to slightly above average with favorable market prices. **Triangle Ag** has some local fields growing Samson wheat for seed production. Yields have been reported in the 70-80 bushel per acre range, with 13+ protein and 62-73 pound test weights. Read **Clyde Kringlen**'s article on page 8 for more information.

Another seed issue on the minds of many is the approval of Roundup Ready® sugar beets for 2008. Many producers have probably already checked into this product. Triangle Ag will not have this seed for 2008. The seed has limited availability and is in high demand for spring. There currently is limited data available on the seed varieties, so I encourage you to use caution when selecting for your acres.

If you were unable to attend the plot tours but would like to go through the plots, please call your sales agronomist to set up a personal tour. We'll be glad to go through them with you. Our plot data will be available online again this year, so please go to *www.triangleag.net* for timely harvest reports. Thanks, and have a bountiful harvest. ▲



"The first discount deadline for corn and soybeans is mid-November."

The End and a New Beginning

Continued from Page 1

most growers with the absence of the major aphid and spider mite populations. Because of that, we saw solid performance and steady growth from our crop protection division.

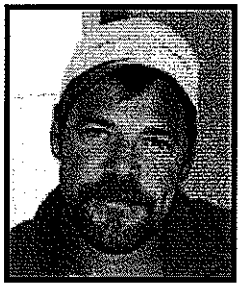
Service revenue also grew beyond expectations, despite a down year in custom spraying. This growth came from many sources. However, the focus on more precision services like VRN, deep banding/precision placement, and others was an area that saw much improvement.

What's in the future

Looking ahead to the 2007-08 crop year, crop direction and the related needs of our customers are unknown, as we are experiencing some of the best commodity pricing ever for ALL crops. Any planning you can do with us ahead of time will be extremely valuable so we can be adequately prepared for your future needs. However, with the addition of the new assets in Ulen and other locations, we believe we'll be able to keep up with ever-changing demands.

Thanks for all your support and understanding this past year as we've all grown together...once again. ▲

Managing Fertilizer Market Challenges



By John Amundson, Crop Nutrients Manager

It has been a year of industry challenges, from record nutrient input costs to tight supply issues. Drastic crop shifts throughout the U.S. and world markets are making it more essential than ever to have a strong nutrient management plan and manage input costs.

This market is being driven by strong global demand. Growth is projected to exceed capacity and continue to be tight. Major fertilizer consumers China and India are rebuilding their inventories after depleting them last year. India's demand is projected to double in the next year, while China is currently the world's largest fertilizer consumer.

Farmers worldwide are increasing their plantings and using more fertilizer to boost crop profits. Over the past four years, world ethanol production has doubled. This boom is causing forecasters to see little change in fertilizer markets.

Strategy for future

We have a three-part construction project now underway to help with supply issues and curb some of the impact created by a volatile market. The following projects are underway in Ulen to enhance our service and expand our storage capabilities:

- **Dry Fertilizer Expansion:** An additional 18,000-ton section will provide capacity to hold 53,000 tons of dry product here. Combined with our other locations, this should give us the ability to hold enough product to meet the needs of our customer base per fertilizer season. Additionally, we have agreements in place with most of our manufacturers to help ensure adequate product supply.

- **Liquid Fertilizer Plant:** The plant will give us the ability to make our own 10-34-0 and will give us the necessary storage for crop-year needs. Plant capacity will be approximately 1.6 million gallons.

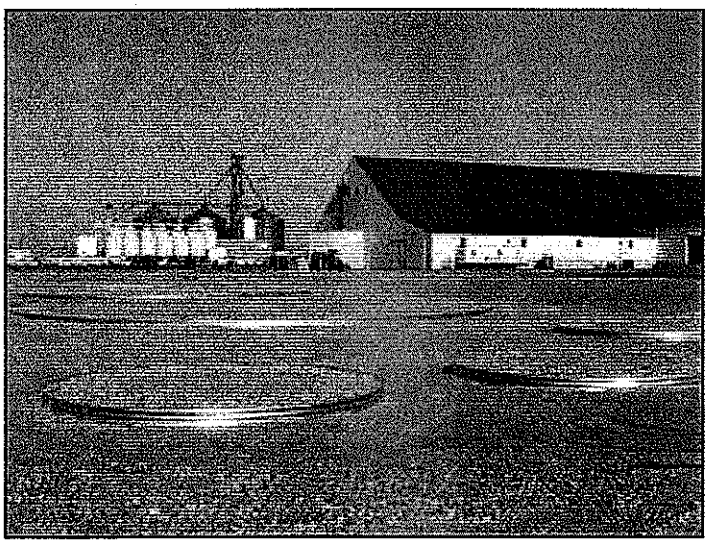
- **Seed & Chemical Warehouse:** This facility will be able to hold around 180,000 gallons of bulk chemical product, with room to grow to an additional 65,000 gallons. It will also have enough room to store most of our pre-packaged chemicals and our bagged seed inventories. ▲

Fertilizer Notes

Urea has softened slightly from the spring high and now appears to have settled close to where it will be for fall business. Phosphate and potassium markets are in a tight supply situation, which forecasters are predicting could remain tight for up to a year.

As fall approaches, we encourage you to sign up for fall soil testing. Soil analysis is a great tool to use when making crop nutrient plans. Also, the specialty fertilizers of ESN and MESZ5 are looking good out in the fields and test plots. We'll have performance data available after harvest.

Please call with any questions and have a safe harvest. As always, we look forward to working with you now and in the future. ▲



We hope to have our construction projects completed by spring 2008, or with some luck, later this fall. These projects will provide the ability to take product early and will give us the capacity to secure supplies and help ensure competitive pricing.

Importance of Product Procurement

By Rick Walker, Crop Protection Manager

Chemical season is nearing the end of another exciting year, with only a few products moving in select markets. This has been the first year where prices of products, mainly glyphosate, have increased so many times in season. I believe this trend is here to stay. These increased costs are mainly a function of increased shipping and manufacturing product costs. We have experienced this before on other products, but our ability to store them early in the year has elevated this issue. This leads to the major construction project now underway for the chemical department.

The increased need for product procurement earlier in the year has led to the decision to build a central distribution building to house both our chemical and seed needs. Groundwork is currently being done in Ulen for a 120-foot by 350-foot shed that will hold most of our bulk and packaged chemical products. It will also hold some of the bagged soybeans and most of the corn.

Positioning to meet needs

The building will provide 180,000 gallons of storage, with room for future expansion. This positioning will meet the increasing need to hold product earlier in the year. Today's market has transitioned from an 'order it when you need it' mentality to a market that demands ordering product up to one year in advance to secure supply.

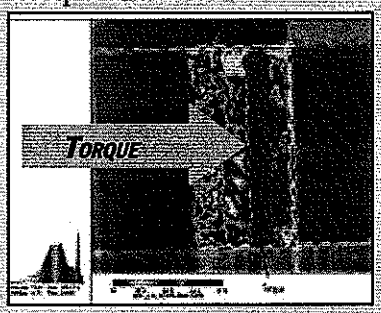
The majority of the bulk product storage in this building will be for glyphosate. Its use has steadily increased over the past few years, and demand will become even greater with increased acres in soybeans, corn, and the introduction of Roundup Ready® sugar beets. The ability to store more of our glyphosate will be a huge advantage to our company as we continue to expand and grow. The procurement of product earlier in the year also allows us to secure a supply, ensuring a competitive price for our patrons.

Research continues

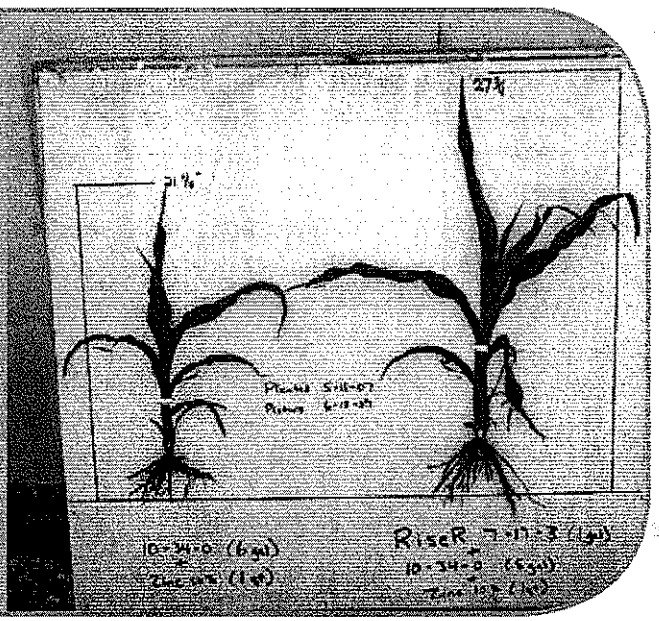
We continue to research numerous products for the benefit of our customers. Two products that look especially promising are RiseR® and Torque™ IF (see insets below). They are both used in-furrow with 10-34-0 on corn and other crops. We will be following them to yield and reporting the data in the next newsletter. For more information about how they can be a profitable fit on your operation, ask your **Triangle Ag** agronomist.

It's been another great year, thanks to your support. I hope your harvest is progressing well—just remember to make it a safe one.

Torque™ IF is an LCO growth promoter from EMD Crop BioScience for use in corn in combination with 10-34-0 and zinc. It was easily mixed with the 10-34-0 in our test plots with no trouble exhibited. Early satellite images show a significant response in light absorption by the corn treated with Torque, as pictured. We will report the test strip yield results following harvest.



RiseR® is a 7-17-3 in-furrow liquid fertilizer with zinc and a trace micronutrient package available from LPI. We began testing it this year in combination with 10-34-0 for use on corn. Early pictures indicate better plant health and root development when this product is used. We will follow this product through harvest to research its benefits to this area. It will be available in Ulen next year for direct injection into 10-34-0.



Turn On Your Crop With a Crop Onput

Corn, soybeans, wheat and many other crops are getting turned on, and turning up results.

There's only one technology available today that provides remarkable end of season results by turning on plant potential. It's called a crop onput – and it's improving crop production and turning on plant health.

What is a crop onput?

A crop onput is a plant enhancing technology currently available to growers of soybeans, corn, pea/lentil, alfalfa, peanuts, wheat and cotton. Created by EMD Crop BioScience, crop onputs turn on the natural growth processes and help each seed reach its genetic potential, creating healthier, stronger plants that produce higher yields. Higher yields that, at the end of the season, mean greater returns.

What makes a crop onput unique?

Crop onputs are natural growth promoters. LCO (Lipochitooligosaccharide) Promoter Technology® is the lead crop onput technology available from EMD Crop BioScience. Depending on point of application, plants receiving an application of this technology will have potential benefits of earlier or accelerated emergence, improved stand establishment, noticeably greener foliage, improved photosynthesis and earlier bloom or flowering. No crop input can do all this. And these are just a few of the benefits of a crop onput.

Where do you find this technology?

The most well known LCO Promoter Technology product is Optimize® for soybeans. Available as a seed treatment, Optimize delivers an early-season boost and season-long benefits that include accelerated growth, enhanced overall plant health and a boost in yield. In addition, growers planting their Optimize treated soybean fields to corn the following season have seen a 4 bu/a yield increase in their corn yield, resulting in a combined crop ROI of 14:1.

Pivot™ Foliar is a new LCO Promoter Technology product for both corn and soybeans. It is applied in a post-emergent, foliar application to improve plant health. Pivot Foliar is a consistent tank mix partner with many other products, such as Roundup.® Results from using Pivot Foliar include increased photosynthesis, more vigorous growth, and earlier and increased fruiting and yield.

Growers in the Midwest who have used Torque™ IF, the in-furrow application of LCO Promoter Technology for corn, found improved vigor, improved stand establishment, increased root mass and shoot development and stronger, greener plants. Torque IF also offers the potential for earlier tasseling and silking, increased stalk size and girth, and increased yield.

EMD Crop BioScience also offers a crop onput for wheat and barley called Wave.™ The technology in Wave is a patented formulation of Azospirillum plant growth promoting rhizobacteria (PGPR) that stimulates root growth and improves nutrient utilization. This strong foundation leads to higher yields through increased tillering, grain number and weight.

Sequential applications have cumulative benefits

Independent research trials have shown that when used in a sequence – seed treatment, in-furrow and foliar application – products featuring LCO Promoter Technology demonstrate a cumulative benefit on crops for even greater yield results than using one application alone.

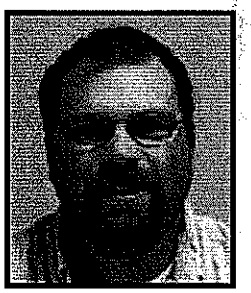
There's much more to come

EMD Crop BioScience will continue to develop new formulations for application on a wider variety of crops and at various application points throughout the growing season. The combination of on-seed, in-furrow and foliar applications of crop onput technology will provide significant advantages above and beyond what growers now expect from a crop input.

EMD Crop BioScience is the leader in developing plant health technology, committed to improving plant health and helping growers improve their returns. Through extensive research and development, the portfolio of EMD Crop BioScience crop onputs are helping make plants healthier and make every acre more profitable.

For more information talk to your dealer, local EMD Crop BioScience representative or visit us at *www.emdcropbioscience.com.* ▲

RTK Adds Drainage Benefits



By Kevin Poppel, Precision Specialist

Since the creation of **Triangle Ag, LLC**, our focus has been not only to bring you competitive product pricing, but also to offer new products and services that will enhance profitability on each acre of your farm.

From speciality fertilizers, like ESN Nitrogen and MES15, to variable rate technology and deep banding, we are dedicated to offering solutions on an acre-by-acre management approach. Here in the heart of the Red River Valley, we are also adding topography data and RTK ditching to our array of precision tools.

Following research, we saw the need for utilization of the topography data that some of you currently have with your own equipment. We have also seen where some of you may have already purchased topography data, without being able to fully utilize the technology.

So we are now offering topography data collection directly through your local agronomy center. Once we know the legal description and have set the parameters of what you are looking for, we physically drive through the field with a pickup or 4-wheeler collecting RTK data points.

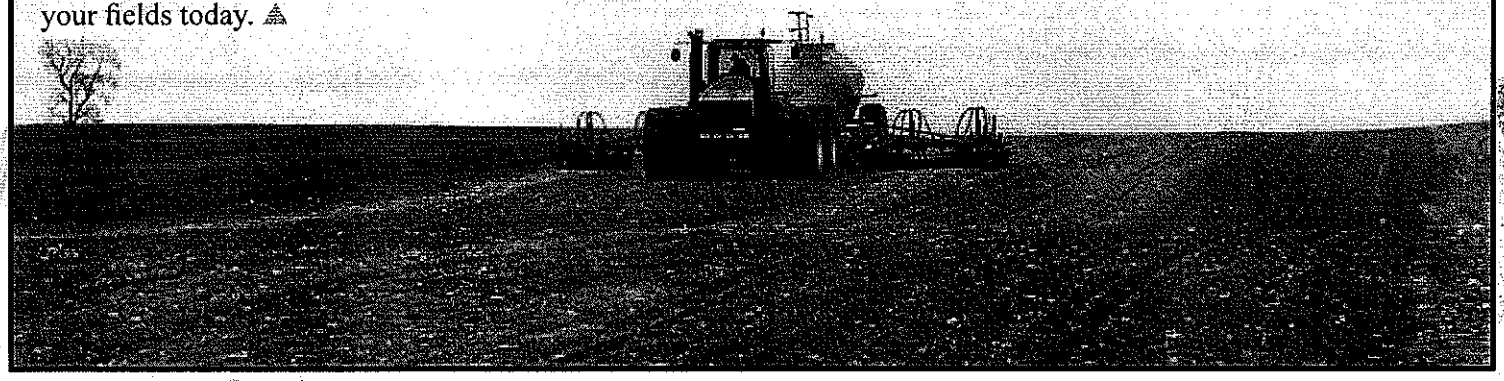
After the data is collected, we use a program that interprets the RTK data and turns it into a usable form. We then have the ability through AgGPS® to put the data in the tractor's computer. At that point, the flow paths of each ditch and lateral are shown to our operator, and the ditcher controls the multiple-grade break points that were collected previously. Because of the accuracy of real-time GPS, we have found a large advantage even over a conventional laser system.

For more information on RTK ditching, or any of our precision solutions, please give me a call.

Market-Driven Solutions: Deep Banding

With the soaring fertilizer market and the need for increased fertilizer efficiency, the time has come to expand our deep banding equipment lineup. We've recently made the switch to Case IH® equipment. The switch to red utilizes their top-of-the-line variable rate technology and the sheer efficiency of their equipment. We've also added one more deep banding machine this year, as we have seen positive growth in the volume of fall applied fertilizer.

In the past three years, banding fertilizer has proven to be a profitable management tool. Deep banding not only can control costs, but can minimize fall workloads. We have a highly trained staff of operators and would be happy to do some banding for you. Acres are already selling rapidly, so contact your local agronomy center to sign up your fields today.



Financing Tool Provides Prepay Solution

By Tracy Gratton, Financial Programs Specialist

As the fall fertilizer and seed prepay seasons are rapidly approaching, we would like to remind you of all the financing options available through **Triangle Ag**. Having your financing in place early will allow you to take advantage of fall fertilizer and prepay opportunities. We are currently taking applications for all programs offered.

By teaming up with **AgQuest Financial Services** and **The Cooperative Finance Association**, we are able to offer a variety of financing options, from dealer product only loans to full operating loans, all at very competitive interest rates.

One of the options available is a Dealer Product/Companion Direct Loan. This is a great way to access funds rapidly and easily to fund crop input purchases from Triangle Ag. You can lockdown purchases before the start of the 2007 harvest, and repayment is deferred until after the 2008 harvest.

Dealer Product or Companion Direct loans are just a few of the unique financing options offered through Triangle Ag and our finance partners. Call today to find out how these programs can go to work for you.

Dealer Product Companion Direct Q&A

What is a Dealer Product or Companion Direct loan?

This is a line of credit that can be used by Triangle Ag patrons, allowing greater flexibility to finance crop inputs in one convenient program. This product enables growers to make an early commitment for products they need, with payment deferred until after harvest, with minimal paperwork and a quick decision time.

Can I use loan proceeds for prepays?

Yes. Loan advances can be used for prepays, and you qualify for any cash discounts that may apply.

What can the proceeds be used for?

Proceeds will be used for 2008 crop input purchases from Triangle Ag.

What collateral do I have to pledge?

The loans will either be unsecured or require a best lien position.

What paperwork do I need to complete?

All that is needed is a simple one-page application, which can be picked up at any of our agronomy locations or the main office.

How do I advance my loan?

Triangle Ag presents an invoice to AgQuest, and AgQuest advances the funds on your line of credit directly to Triangle Ag.

How much money is available through this program?

The minimum loan is $5,000 and the maximum loan is $100,000.

What is the maturity date?

The loan maturity date is November 30, 2008.

Who do I call for more information or to apply?

For more information or to apply, please contact me (Tracy Gratton) or Keith Matthews at 888-731-8937. Applications are also available with your local agronomist.

From the Credit Department

In January 2007, the **Triangle Ag** board of directors approved a credit policy change. Letters were mailed out to all account holders explaining the changes, along with a copy of the new credit policy. We hope this process has made understanding your bill easier and eliminated confusion on discounts. For another copy of the credit policy, call the office and we'll mail you one. Or, you can view it on our website at *www.triangleag.net*.

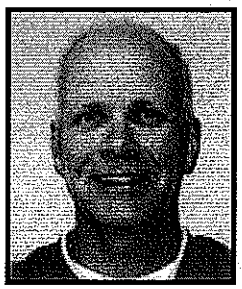
Major changes to the policy:

- One price tier for cash or charge
- Discounts discontinued
- 5% delinquency fee on all previous month's invoices not paid by the 10th of each month
- 18% APR finance charge applied to all past due account balances, in addition to the delinquency fee

We also do not accept credit cards. Please call our main office with any questions. Our thanks go out to our many customers who do an excellent job of keeping their accounts current.

Breaking Down Yield Barriers

By Clyde Kringlen, Sales Agronomist



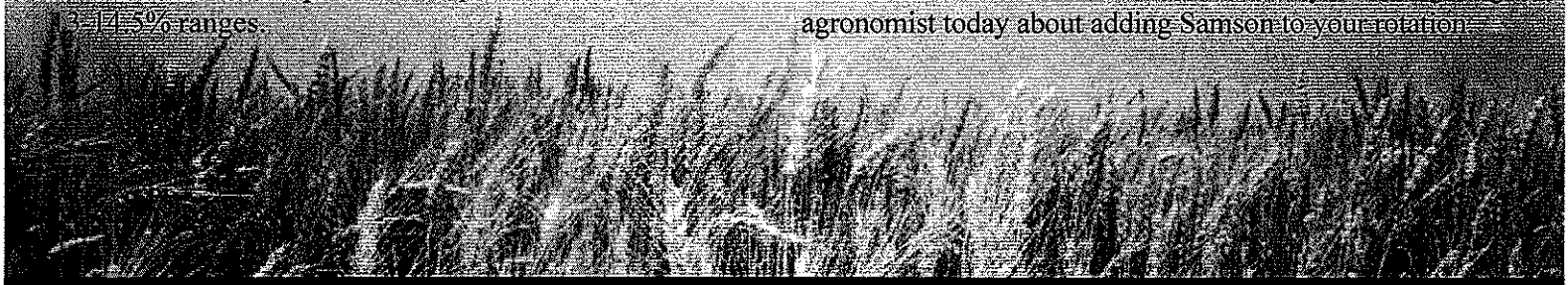
When you look at the whole picture, where does wheat fit in your farming operation? Wheat is like the odd one in the family. Corn, soybeans, and sugar beets generally have a better return on investment…so they get the majority of the acres. So how would a spring variety wheat that has an 80-plus-bushel yield potential fit on your farm?

Triangle Ag and WestBred have been looking at a lot of new wheat varieties that fit our production area. In 2007, we introduced Samson hard red spring wheat. We are just getting some production numbers in, and it looks like a winner. We are seeing yields of 75 to 80-plus bushels per acre. Better than average test weights have been recorded at 62 to 63 pounds, and proteins have been in the 13-14.5% ranges.

One of our Samson seed production fields yielded 80 bushels per acre, with 63-pound test weight and 13.4% protein. With some small changes in our wheat management program, we believe that we can increase the yield and protein of Samson.

We are very excited about Samson and two other varieties, Goliath and Tiller. They will be available in 2008. These new high-yielding wheat varieties and our specialty fertilizers of MES15 and ESN Nitrogen have turned wheat into an exciting option for your farm.

Give me a call at 218-280-0289 or talk to your Triangle Ag agronomist today about adding Samson to your rotation.



Make us your home page: www.triangleag.net.

Triangle Ag
Solutions To Grow On

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Ulen, MN 56585

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EXHIBIT 18

EMD Crop BioScience 2007/08 Distributor Price List

CUSTOMER SERVICE

1-800-558-1003 Fax: 1-262-957-2122
Please use product codes when placing an order.

Payment

Net 30 days. A charge of 1.5% per month will be added to all invoices not paid within 30 days from invoice date.

Regional Warehouses

Selected EMD Crop BioScience products are warehoused at:

Nampa, ID	Grand Forks, ND	Sioux Falls, SD	Grand Island, NE	Milwaukee, WI	Lima, OH
Memphis, TN	Goldsboro, NC	Albany, GA	Lubbock, TX	Waxahachie, TX	Lewiston, ID

All distributor orders for pickup or delivery must be placed with EMD Crop BioScience, Milwaukee, WI. Freight is charged only on shipments from the nearest warehouse where product is stocked to the distributor's location. Shipments from our warehouse are sent freight collect.

Freight

F.O.B. Shipping Point. Shipments to one location will be prepaid on orders of $5000 or more.

Drop Shipments

Shipments will be made only to authorized EMD Crop BioScience distributor locations, including branch offices and warehouses.

Exchange/Return Privilege Exchange

All outdated product quantity returns must be submitted to EMD Crop BioScience no later than October 31, 2008. Outdated EMD Crop BioScience inoculants will be credited against future EMD Crop BioScience product purchases. Destroyed credits will be applied up to a limit of 15% per product category purchased. Products purchased at non-returnable pricing will not be included in destroyed credit calculation. These credits have no cash value and may not be applied to outstanding account balances. Destroyed credits will not be processed until the account has been satisfied. Destroyed product must be verified by an EMD Crop BioScience sales representative before a destroyed credit form will be issued. Destroyed credits must be used within one year from the date of issue. Outdated products will not be accepted for credit after one year from product expiration stamped on package.

Returns

EMD Crop BioScience will not accept any product returns without prior written authorization from an EMD Crop BioScience customer service representative or salesperson.

EMD

EMD Crop BioScience

Inoculants

SOYBEANS

Product	Product Code	Amount of Seed Each Pkg. Treats	Pkgs Per Case	Cases Per Pallet	Weight Per Case	Non-Returnable Distributor Price	Standard Distributor Price/Case	Suggested Dealer Price /Case	Suggested Retail Price - Case
Cell-Tech® Soybean Liquid Two year dating	1710	50 units	4	45	31 lb	159.00	-	212.00	254.00
	1711	200 units	1	45	30 lb	145.00	-	191.00	246.00
Nitragin® S Powder	4062	5 bu	24	48	24 lb	48.00	55.00	80.00	105.00
	4063	25 bu	6	48	31 lb	52.00	59.00	84.00	108.00
NitraStik™ S Powder; one season dating	4053	30 units (25 bu)	4	55	28 lb	75.00	88.00	102.00	126.00
NitraStik S Sterile Sterile powder; two season dating	1796	20 units	6	60	21 lb	127.00	-	170.00	212.00
Soil Implant® + Soybean Granular	1207	-	1	50 bags	40 lb	-	45.00	53.00	62.00

PEA & LENTIL

Cell-Tech Pea & Lentil Liquid Applicator kit included	1737	40 bu (2400 lb)	4	45	25 lb	-	100.00	130.00	159.00
	1730	130 bu (7800 lb)	1	60	23 lb	-	73.00	91.00	114.00
NitraStik C Pea & Lentil Powder with sticker	4052	25 bu (1500 lb)	4	55	27 lb	-	52.00	78.00	97.00
Nitragin C Powder; Peas: Austrian Winter, Field, Garden, Perennial, Sweet & Flat Peas; Lentils/Vetches: All species & varieties.	4055	25 bu (1500 lb)	4	55	27 lb	36.00	41.00	58.00	75.00

PEANUTS

Soil Implant+ Peanuts	1204	-	1	50	40 lb	-	45.00	53.00	62.00
Peanut Special®	1189	100 lb	24	112	11 lb	-	101.00	128.00	155.00

DRY BEANS/GARBANZO/CHICKPEAS

NitraStik D Powder with sticker	4051	17 bu (1000 lb)	6	48	29 lb	53.00	61.00	74.00	93.00
Soil Implant+ Dry Beans Great Northern, Kidney, Navy, Pink, Pinto, Scarlet Runner & White; Green (all varieties)	1210	-	1	50 bags	40 lb	-	45.00	53.00	62.00
NitraStik GC Garbanzo/Chickpea Powder with sticker	4050	1000 lb	6	48	29 lb	51.00	58.00	72.00	89.00
Nitragin GC Garbanzo/Chickpea Powder	4035	1500 lb	4	48	31 lb	25.00	-	40.00	49.00
Soil Implant+ Chickpea	1217	-	1	50 bags	40 lb	-	45.00	53.00	62.00

Onputs/LCO Promoter Technology®

Seed

SOYBEANS

Product	Product Code	Amount of Seed Each Pkg. Treats	Pkgs Per Case	Cases Per Pallet	Weight Per Case	Non-Returnable Distributor Price	Standard Distributor Price/Case	Suggested Dealer Price /Case	Suggested Retail Price - Case
Optimize®	1752	50 units (2500 lb)	4	45	34 lb	345.00	-	463.00	2.93 per unit
	1751	200 units (10,000 lb)	1	45	30 lb	328.00	-	441.00	2.78 per unit

PEA & LENTIL

Optimize Pulse	1776	130 bu	1	45	27 lb	-	110.00	144.00	186.00

PEANUTS

Optimize LIFT	1760	10 acres (36" rows)	4	36	40 lb	-	249.00	307.00	333.00

In-furrow

PEA & LENTIL

Optimize Pulse IF	1778	8 acres	1	50 bags	40 lb bag	-	50.00	59.00	70.00

CORN/COTTON

Torque™ IF for Corn & Cotton Corn	8300	20 acres	2	32	45 lb	96.00	-	120.00	160.00
Cotton	8300	12 acres	2	32	45 lb	96.00	-	120.00	160.00

NEW!

Onputs/Other

Seed

WHEAT

Wave™ This packaging configuration will be eliminated as of 01/01/08	8100	40 bu	1	60	25 lb	-	42.00	50.00	74.00
New packaging configuration as of 01/01/08	8100	40 bu	2	36	49 lb	-	84.00	100.00	148.00

NEW!

EMD Crop BioScience

ISO 9001

EMD Crop BioScience | 13100 W. Lisbon Road, Suite 600 | Brookfield, WI 53005-2509

EXHIBIT 19

EMD Crop BioScience Inc.
Anew Foliar, Reveal Foliar, Torque IF
2007/08 Price List
Effective October 1, 2007

Product	Product Code	Number of Acres Each Pkg. Treats	Pkgs Per Case	Cases Per Pallet	Weight Per Case	Distributor Price Per Case	Suggested Dealer Price Per Case	Suggested Retail Price Per Case
Foliar								
Anew™ Foliar LCO Promoter Technology® Alfalfa 2 x 2.5 gal	8600	40 acres	2	36	44 lbs	192.00	240.00	320.00
Reveal™ Foliar LCO Promoter Technology® Corn and Soybean 2 x 2.5 gal	8500	10 acres	2	36	44 lbs	45.00	56.00	76.00
In-furrow								
Torque™ IF LCO Promoter Technology® Corn 2 x 2.5 gal	8300	20 acres*	2	32	45 lbs	96.00	120.00	160.00

* For 30" rows. Please refer to product label for other row spacings.

Payment
Net 30 days. A charge of 1.5% per month will be added to all invoices not paid within 30 days from invoice date.

Freight
F.O.B. Shipping Point. Shipments to one location will be prepaid on orders of $5000 or more.

Drop Shipments
Shipments will be made only to authorized EMD Crop BioScience Inc. distributor locations, including branch offices and warehouses.

Exchange/Return Privilege Exchange
These products have a two-season shelf life. They are offered without inventory protection.

Returns
EMD Crop BioScience Inc. will not accept any product returns without prior written authorization from an EMD Crop BioScience Inc. customer service representative or salesperson.

Customer Service: 1-800-558-1003 Fax: 262-957-2122 Hours: 7:30 - 4:30 CST

EMD Crop BioScience Inc.
13100 West Lisbon Road, Suite 600
Brookfield, WI 53005

EMD

EMD Crop BioScience

EXHIBIT 20

TORQUE™ IF

Product No. 8300

- **NET WEIGHT: 20.8 lb**
- **NET CONTENTS: 2.5 gal**

- **SHAKE WELL BEFORE USE.**
- **USE BEFORE EXPIRATION DATE.**
- **USE WITHIN FIVE DAYS OF OPENING PACKAGE.**
- **STORE IN COOL, DRY PLACE OUT OF SUNLIGHT.**

COMPATIBILITY

- **MIX AND APPLY WITH ONLY SEED FURROW COMPATIBLE PRODUCTS.**
- **PERFORM JAR TEST PRIOR TO TANK MIXING PRODUCTS TO ENSURE COMPATIBILITY.**
- **FOR PRODUCT COMPATIBILITY QUESTIONS, CONTACT EMD CROP BIOSCIENCE R & D AT 1.800.558.1003.**

APPLICATION RATE / UNIT TREATS

inches/row	application rate	acres treated
15	1.5 pt/A	13
20-22	1.25 pt/A	16
30	1.0 pt/A	20

ACTIVE INGREDIENT

Product contains a minimum of 1×10^{-7}% lipo-chitooligosaccharide for corn.

INACTIVE INGREDIENTS

Aqueous carrier > 99%

EMD

EMD Crop BioScience

Manufactured by
EMD Crop BioScience
3101 W. Custer Ave.
Milwaukee, WI
53209

ISO 9001

DIRECTIONS FOR APPLICATION

- **Product must be applied into the seed furrow and with only seed furrow safe products.**
- Clean tank before use.
- Shake product well.
- Add other ingredients into tank in recommended order of addition before adding LCO-C IF.
- For rapid dispensing, hold the LCO- C IF package over the spray tank and cut the corner of the bag.
- LCO- C IF does not require agitation to remain in suspension.
- If planting is delayed, keep diluted tank mix out of direct sunlight. Do not allow the diluted tank mix to exceed 100 F.

LIMITED WARRANTY

EMD Crop BioScience Inc. (or EMD Crop BioScience Canada Inc., dependent on which entity is the seller of this product) (the seller of this product is referred to herein as "EMD") guarantees this product conforms to its label description and is suitable for its intended use if stored and used strictly in accordance with label directions under normal conditions of use. EMD, through its distributors, must be notified of any field performance complaint within seventy (70) days after planting. EMD's sole obligation under this warranty shall be to refund the purchase price. EMD SHALL NOT BE LIABLE FOR AND DISCLAIMS ALL CONSEQUENTIAL, INCIDENTAL AND CONTINGENT DAMAGES WHATSOEVER. Without limiting the foregoing, EMD shall not be responsible for loss or partial loss of crop from any cause whatsoever. EMD SHALL NOT BE SUBJECT TO ANY OTHER OBLIGATIONS OR LIABILITIES, WHETHER ARISING OUT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR OTHER THEORIES OF LAW. THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED, AND SELLER EXPRESSLY DISCLAIMS AND EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR PURPOSE.
THE ABOVE LIMITED WARRANTY IS VOID WHERE PROHIBITED BY LAW.

U.S. Patent
5,549,718 5,646,018 5,175,149 5,321,011

0207

EXHIBIT 21

Prince, Ted

From: DLBL (Daniel Label) <DLBL@novozymes.com>
Sent: Wednesday, October 10, 2012 10:40 AM
To: Prince, Ted
Subject: Saved Files

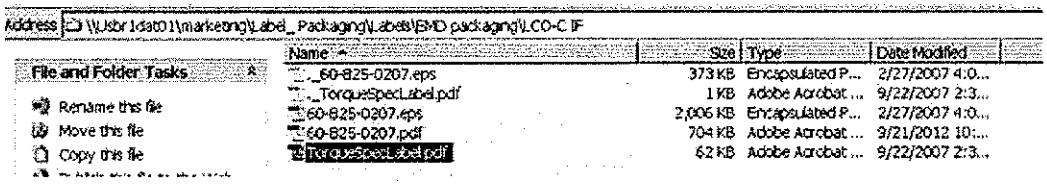

EXHIBIT 22

AdFarm

WORK ORDER

Client: EMD CBS

Date: 9/26/07

Division: Multi-Market

Project: Web Banners

Product: Multi-Product

Account manager/executive: MS/KW

AdFarm Job No.: 6328

Production manager: LM

Reference Job No. if required:

Client Job No. if required:

NOTE: *Please refer to the GO BRIEF for details on the purpose, audience and message.*

Detailed specs

Create copy and layout designs for *Pivot*™ Foliar, *Torque*™ IF; and Alfalfa Foliar web banners.

General: These three web banners will be much the same format as the 2006-7 Bolt web banner (job #4452). These will be used in the introduction phase of the products.

Legal: © 2007 EMD Crop BioScience. Pivot and Torque are trademarks of EMD Crop BioScience. EMD Crop BioScience, 10300 Lisbon Avenue, Brookfield, WI 53005.

Logo: EMD Crop BioScience; *Pivot*™ Foliar, *Torque*™ IF; Alfalfa Foliar

Brand and company mention: EMD Crop BioScience; *Pivot*™ Foliar, *Torque*™ IF; Alfalfa Foliar

Contact and URL information: N/A

Layout direction: Layout guidance and copy to be considered by creative. Evolution of three banners. See job #4452 for sizing instruction – examples contained in job jacket.

Response: These web banners should intrigue people to "click" on the web banner for more information on these three products.

Production guidelines: To be developed after initial concept level by AdFarm Interactive.

Additional codes needed: 1007- 6328

Hours/budget available

Creative: 10 hours

Copywriting: 5 hours

Quantities

1 web banner copy/design per new product – Pivot, Torque and Rejuve/ Alfalfa Foliar

Message specifics/other comments

N/A

Directions	Due date
Concept	
Copy	
Layout	
Proofreading	
Translation	
Finished art	
Mailing list	
Production/distribution	
Delivery (VIP and/or general)	October 15th

EXHIBIT 23

SWF WEEKLY REPORT

WEEK ENDING: October 20, 2007

LOCATIONS & CONTACTS	INFORMATION
Sunbelt Expo Moultrie, GA	**There were 1,209 exhibitors and approximately 250,000 people attending the Sunbelt Expo on Tuesday, Wednesday, and Thursday, October 16, 17, and 18.**
University of Florida Quincy, FL	**Dr. David Wright, Dr. Ann Blount, and Dr. Cheryl Mackowiak will be conducting small grain tests in Florida in the fall, winter, and spring of 2007 and 2008. They will be testing a number of small grains, looking at root development, under greenhouse conditions. They will also be taking these small grains (wheat, rye, and oats) to the field where they will be collecting foliage weight in tons per acre and yield in bushels per acre. This information will be reported at end of tests.**

EXHIBIT 24

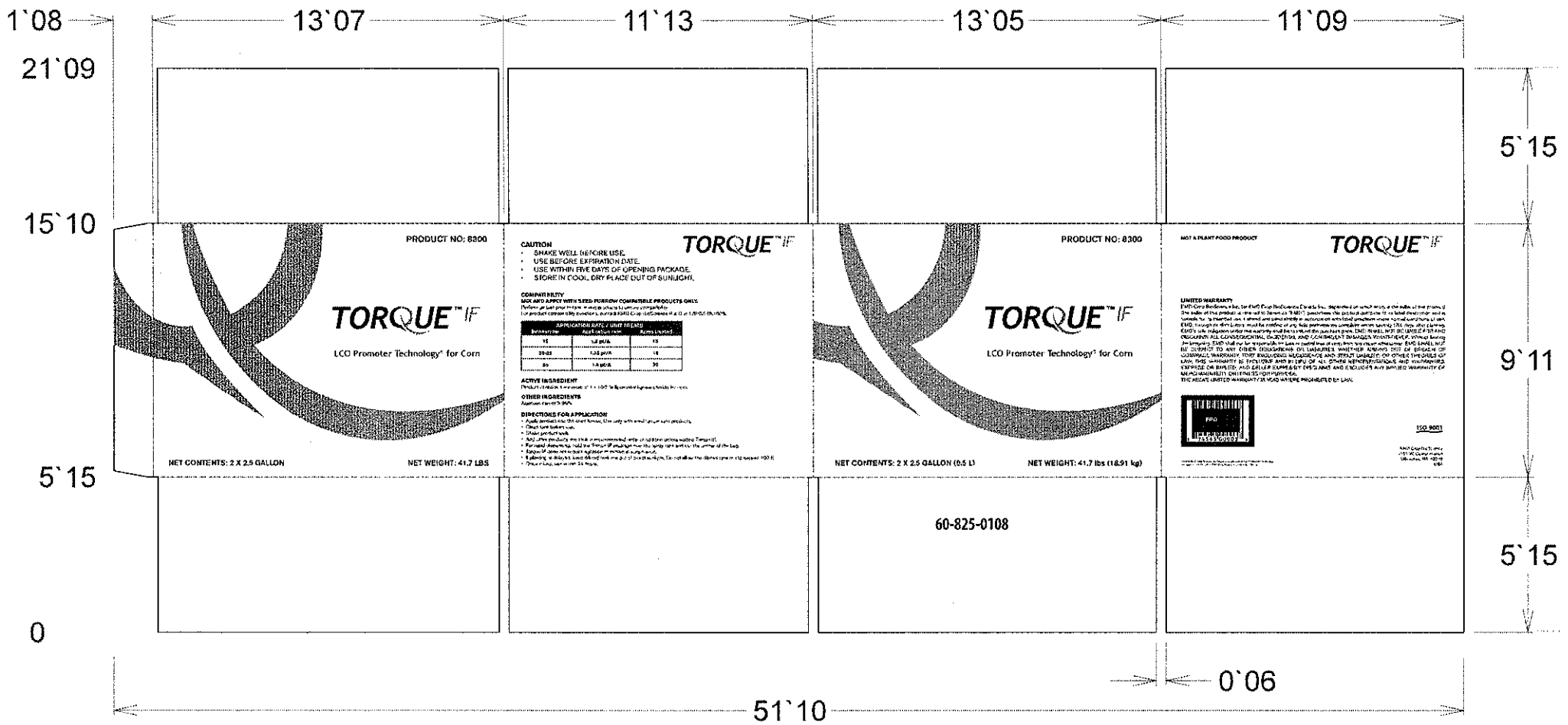
1`08
13`07
11`13
13`05
11`09
21`09
15`10
5`15
0
5`15
9`11
5`15
PRODUCT NO: 8300
TORQUE™ IF
LCO Promoter Technology® for Corn
NET CONTENTS: 2 X 2.5 GALLON
NET WEIGHT: 41.7 LBS
CAUTION
SHAKE WELL BEFORE USE.
USE BEFORE EXPIRATION DATE.
USE WITHIN FIVE DAYS OF OPENING PACKAGE.
STORE IN COOL, DRY PLACE OUT OF SUNLIGHT.
COMPATIBILITY
ACTIVE INGREDIENT
OTHER INGREDIENTS
DIRECTIONS FOR APPLICATION
PRODUCT NO: 8300
TORQUE™ IF
LCO Promoter Technology® for Corn
NET CONTENTS: 2 X 2.5 GALLON (9.5 L)
NET WEIGHT: 41.7 lbs (18.91 kg)
60-825-0108
NOT A PLANT FOOD PRODUCT
TORQUE™ IF
LIMITED WARRANTY
ISO 9001
0`06
51`10

EXHIBIT 25

Net Contents: 2 x 2.5 gallon (9.5 L)
Net weight: 41.7 lbs (18.9 kg)

TORQUE™ IF

PRODUCT NO: 8300

NOT A PLANT FOOD PRODUCT

CAUTION
- SHAKE WELL BEFORE USE.
- USE BEFORE EXPIRATION DATE.
- USE WITHIN FIVE DAYS OF OPENING PACKAGE.
- STORE IN COOL, DRY PLACE OUT OF SUNLIGHT.

COMPATIBILITY
- MIX AND APPLY WITH SEED IN-FURROW COMPATIBLE PRODUCTS ONLY.
- Perform jar test prior to tank mixing products to ensure compatibility.
- For product compatibility questions, contact EMD Crop BioScience R & D at 1.800.558.1003.

ACTIVE INGREDIENT
Product contains a minimum of 1×10^{-7}% lipo-chitooligosaccharide for corn.

OTHER INGREDIENTS
Aqueous carrier > 99%

APPLICATION RATE / UNIT TREATS		
Inches/row	Application rate	Acres treated
15	1.5 pt/A	13
20-22	1.25 pt/A	16
30	1.0 pt/A	20

DIRECTIONS FOR APPLICATION
- Apply product into the seed furrow. Use only with seed in-furrow safe products.
- Clean tank before use.
- Shake product well.
- Add other products into tank in recommended order of addition before adding *Torque IF*.
- For rapid dispensing, hold the *Torque IF* package over the spray tank and cut the corner of the bag.
- *Torque IF* does not require agitation to remain in suspension.
- If planting is delayed, keep diluted tank mix out of direct sunlight. Do not allow the diluted tank mix to exceed 100° F.
- Once mixed, use within 24 hours.

LIMITED WARRANTY
EMD Crop BioScience Inc. (or EMD Crop BioScience Canada Inc., dependent on which entity is the seller of this product) (the seller of this product is referred to herein as "EMD") guarantees this product conforms to its label description and is suitable for its intended use if stored and used strictly in accordance with label directions under normal conditions of use. EMD, through its distributors, must be notified of any field performance complaint within seventy (70) days after planting. EMD's sole obligation under this warranty shall be to refund the purchase price. EMD SHALL NOT BE LIABLE FOR AND DISCLAIMS ALL CONSEQUENTIAL, INCIDENTAL AND CONTINGENT DAMAGES WHATSOEVER. Without limiting the foregoing, EMD shall not be responsible for loss or partial loss of crop from any cause whatsoever. EMD SHALL NOT BE SUBJECT TO ANY OTHER OBLIGATIONS OR LIABILITIES, WHETHER ARISING OUT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR OTHER THEORIES OF LAW. THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED, AND SELLER EXPRESSLY DISCLAIMS AND EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR PURPOSE.
THE ABOVE LIMITED WARRANTY IS VOID WHERE PROHIBITED BY LAW.

ISO 9001 EMD Crop BioScience, 3101 W. Custer Avenue, Milwaukee, WI 53209 USA

EXHIBIT 26

EMD Crop BioScience

13100 W. LISBON ROAD, SUITE 600
BROOKFIELD, WI 53005-2509
PHONE (262) 957-2000 -- FAX (262) 957-2121
FIN 39-1657804

INVOICE 034462

INVOICE DATE: 02/27/2008

INVOICE

CUSTOMER NO: 6040
CUSTOMER PH: 641-858-2341

YOUR ORDER NO: 28303
OUR ORDER NO: CO07/12/140002-0000

BILL TO:

UNITED SUPPLIERS INC.
P.O. BOX 538
ELDORA IA
50627 USA

SHIP TO:

(EL) UNITED SUPPLIERS
PHONE: 800-782-5123
30473 260TH STREET
ELDORA IA
50627 USA

TERMS: PAY #1
PAY #2
PAY #3

SHIPPED: 02/25/2008
SHIPPED VIA: POPE TRANSPORT
F.O.B.: MILWAUKEE
SHIPMENT NO: 031174 REF:
PRO NO:

NET DUE DATE: 05/31/2008

QTY ORDERED	QTY SHIPPED	QTY B.O.	ITEM NUMBER	UNIT PRICE US DOLLARS	EXTD PRICE US DOLLARS
270	270	0	1710	159.00	42,930.00
	CELL-TECH SOYBEAN 50 UNIT (4/CS)				
68	68	0	1720	0.00	0.00
	CELL-TECH APPLICATOR KIT (SOYBEAN)				
48	48	0	4062NR	48.00	2,304.00
	NIT 140KG 5 BU S (SOYBEAN) 24/CS				
240	240	0	4063NR	52.00	12,480.00
	NIT 700KG 25BU S (SOYBEAN) 6/CS				
225	225	0	1751	328.00	73,800.00
	OPTIMIZE 200 UNIT				
90	90	0	1752	345.00	31,050.00
	OPTIMIZE 50 UNIT (4/CS)				
32	32	0	8300	96.00	3,072.00
	TORQUE IF				
			LESS		6,625.44-
	DISCOUNT				

REMIT TO: PO BOX 13273
NEWARK, NJ 07101-3273

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1 1/2% S/C ADDED PER MONTH ON INVOICES OVER 30 DAYS PAST DUE

SALES TOTAL:	165,636.00
SALES TAX	0.00
FREIGHT:	0.00
LESS:	6,625.44-
OTHER CHARGES:	0.00
INVOICE TOTAL: US DOLLARS	159,010.56