

06-05-1998

FORM PTO-1595
1-31-92



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
22

100729178

To The Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Robert P. Foss

Additional name(s) of conveying party(ies) attached? () YES (X) NO

3. Nature of Conveyance:

- (X) Assignment () Merger
- () Security Agreement
- () Change of Name
- () Other:

Execution Date: **September 15, 1997**

2. Name and address of receiving party(ies):

Name: **Optimer, Inc.**
Internal Address: **422 B&O Lane**
Wilmington, Delaware 19804

Additional name(s) & address attached? () YES (X) NO

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
08/931,056

B. Patent No.(s)

Additional numbers attached? () YES (X) NO

5. Name and address of party to whom correspondence concerning documents should be mailed:

Name: **David A Cherry, Esq.**
Internal Address: **WOODCOCK WASHBURN KURTZ**
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia, Pennsylvania 19103-7301

Street Address: **WOODCOCK WASHBURN KURTZ**
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
1650 Market Street
Philadelphia, Pennsylvania 19103-7301

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41):.....\$40.00
(X) Enclosed
() Authorized to be charged to Deposit Account
Number 23-3050

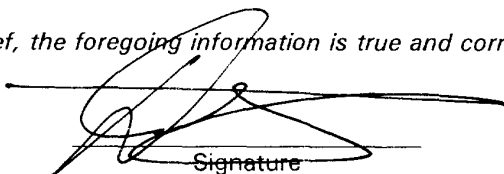
8. Please charge any deficiency or credit any overpayment to Deposit Account Number 23-3050

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David A. Cherry/Reg. No. 35,099
Name of Person Signing/Reg. No.


Signature

May 19, 1998
Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

06/04/1998 DCOATES 00000007 08931056

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**PATENT
Sole Inventor**

DOCKET NO.: OPTI-0002

**(Pending Application;
Serial No. Unknown)**

ASSIGNMENT

WHEREAS, I, **ROBERT P. FOSS** residing at **651 Ridgeview Road, Hockessin, Delaware 19707-9121**, hereinafter referred to as the assignor, am the inventor of certain inventions or improvements for which I have made for Letters Patent to the United States, identified as identified as Case No. **OPTI-0002**, entitled **NOVEL MELT-SPUN ELASTOMERIC FIBERS AND THE PREPARATION THEREOF**; and

WHEREAS, **Optimer, Inc.**, a corporation of **Delaware**, having a principal place of business of **422 B&O Lane, Wilmington, Delaware 19804**, hereinafter referred to as the assignee, is desirous of acquiring the entire right, title and interest in and to the said inventions or improvements and in and to the said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in any and all countries:

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to me in hand paid by said assignee, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said assignor, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, to said assignee, the entire right, title and interest in and to said inventions or improvements and said application and any and all continuations, divisions and renewals of and substitutes for said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in the United States and any and all other countries, and any re-issue or re-issues or extension or extensions of said Letters Patent, and assign to and authorize said assignee to file in my name applications for Letters Patent in all countries, the same to be held and enjoyed by said assignee, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by me had this assignment, sale and transfer not been made.

AND I hereby covenant that I have full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith, and I further covenant and agree that I will each time request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said inventions or improvements, said application and said Letters Patent to said assignee, its successors, assigns, nominees or legal representatives, and I agree to communicate to said assignee, or to its nominee, all known facts respecting said inventions or improvements, said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers, to execute all disclaimers and divisional, continuing, reissue and foreign applications, to make all rightful oaths, and generally to do everything possible to aid said assignee, its successors, assigns, nominees and legal representatives to obtain and enforce for its or their own benefit proper patent protection for said

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inventions or improvements in any and all countries.

AND I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents of applications as aforesaid, to issue to said assignee, as assignee of the entire right, title and interest, any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

We further authorize and direct our attorneys to insert below* the serial number and filing date of said application now identified as Case No. **OPTI-0002** as soon as the same shall have been made known to them by the United States Patent Office.

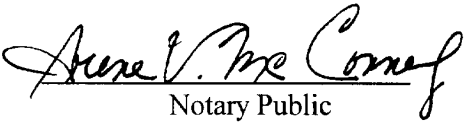
IN WITNESS WHEREOF, I have hereunto set my hand and seal.

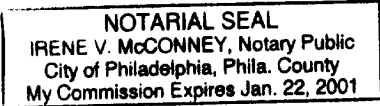
 (L.S.)
ROBERT P. FOSS

**PATENT
Sole Inventor**

STATE OF :
: SS
COUNTY OF :

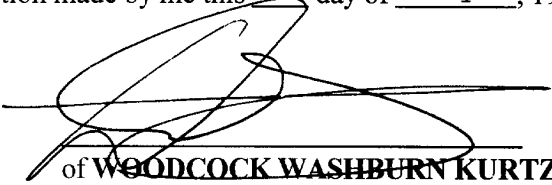
On this 15 day of September, before me personally came the above named **Robert P. Foss**, to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.


Notary Public



*The above assignment covers application Serial No. 08/931,056, filed on 09/16/97

The above insertion made by me this 19th day of May, 1998



of **WOODCOCK WASHBURN KURTZ MACKIEWICZ
& NORRIS LLP**