

08-14-1998

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PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached

1. Name of conveying party(ies):

Daphne Eye Technologies

Additional name(s) of conveying party(ies) attached?

☐ Yes☒ No

3. Nature of Conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other: Consent for Cain Research PTY Limited to Grant License

Execution Date: 28 December 1994

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

Name: Cain Research PTY Limited

Internal Address: 12/26 McPherson Street

Street Address:

City: Warriewood

Country: NSW, Australia Zip: 2102

Additional name(s) & address(es) attached?

☐ Yes☒ 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):

B. Patent No.(s): 5,329,322; 5,576,780; 5,684,561

Additional numbers attached? ☐ Yes ☒ No

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

Name: Greg T. Sueoka

Internal Address: Fenwick & West LLP

Street Address: Two Palo Alto Square

City: Palo Alto State: CA Zip Code: 94306

6. Total number of applications and patents involved: [3]

7. Total fee (37 CFR 3.41): \$120.00

☐ Enclosed☒ Fee Transmittal Enclosed

8. Deposit Account No.: 19-2555

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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.

Greg T. Sueoka, 33,800

Attorney, Reg No.

Signature

Date

Total number of pages including cover sheet, attachments, documents: [2]

08/13/1998 TTOW11 00000076 192555 5329322

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

Box Assignment, Commissioner For Patents and Trademarks

Washington, D.C. 20231

PATENT
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NO. 4423 P. 34

DAPHNE MEDICAL LTD

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P. 07

Daphne Eye Technologies

P.O. Box 362, Hilo, Hawaii 96721, U.S.A.

Tel: 1-808-982-9070 Fax: 1-808-982-9060

Honolulu Tel/Fax: 1-808-924-8800

[?] December 1994

TO: **THAKRAL CORPORATION PTY LIMITED** (ACN 056 546 353) (the "Company") of level 12, 301 George Street, Sydney, New South Wales
THAKRAL R&D PTY LIMITED (ACN 057 889 977) ("JV1") of level 12, 301 George Street, Sydney, New South Wales
CAIN RESEARCH PTY LIMITED (ACN 066 749 684) ("JV2") of 12/26 McPherson Street, Warriewood, New South Wales

Dear Sir

RESEARCH & DEVELOPMENT SYNDICATION INVOLVING CAIN RESEARCH PTY LIMITED

1. We refer to the:

- (a) document entitled "Heads of Agreement" dated on or before the date of this letter between JV2, ourselves and Daphne Medical Hong Kong Limited ("Heads of Agreement");
- (b) Australian marriage (as defined in the Heads of Agreement); and
- (c) Licence, Research and Commercialization Agreement to be entered into between JV2 of the first part, JV1 and JV2 of the second part ("LRC Agreement") in relation to a proposed research and development Syndication (the "Research and Development Syndication").

2. We hereby irrevocably consent to JV2 granting to JV1 and JV2 a licence throughout the world of the Core Technology (as defined in the LRC Agreement which includes the Patent as defined in the heads of agreement) on the terms and subject to the conditions set out in the LRC Agreement.

3. We confirm that the exercise by ourselves of our rights under the Australian Marriage will be subject to the rights of JV1 and JV2 under the Transaction Documents (as defined in the LRC Agreement).

4. We acknowledge that JV1, JV2 and the Company will rely upon this letter of consent in entering into and continuing to participate in the Research and Development Syndication.

Dated this 28th day of December 1994.

SIGNED for and on behalf of
DAPHNE EYE TECHNOLOGIES
 partnership by its authorized partner
 in the presence of:

Witness Jai-Fu Di M. D.
 (Print Name: Jai-Fu Di, M.D.)

Partner Alan Robert Yancey
 (Print Name: Alan Robert Yancey)
 Partner Daphne D. Yancey
 (Print Name: Daphne D. Yancey)

29-Dec-98 11:15p