

08-18-1998



100800466

PATENTS ONLY

Form PTO-1595

Our Docket No. SALK2310

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

1. Name of Conveying party(ies):

Enrique Saez

Additional name(s) of conveying party(ies)  
attached? Yes : No ☒

2. Name and address of receiving Party(ies)

Name: The Salk Institute for Biological Studies  
Street Address: 10010 North Torrey Pines RoadCity: La Jolla State: California  
Country: \_\_\_\_\_ Zip: 92037Additional name(s) & address(es) attached?  
Yes No ☒

3. Nature of conveyance:

☒ Assignment Merger  
Security Agreement Change of name  
Other \_\_\_\_\_Execution Date: Enrique Saez 7/15/984. Application number(s) or patent number(s): 09/079,570

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

A. Patent Application No.(s) 09/079,570

B. Patent No.(s)

Additional numbers attached? Yes : No: ☒5. Name and address of party to whom correspondence  
concerning document should be mailed:Name **Stephen E. Reiter**  
**GRAY CARY WARE & FREIDENRICH LLP**Street Address **4365 Executive Drive, Suite 1600**  
City: San Diego State: CA Zip: 921216. Total number of Applications and patents  
involved: 17. Total fee (37 CFR 3.41) ...\$ 40.00

9 Enclosed:

☒ Authorized to charge the recordation fee or any  
underpayment to deposit account.8. ☒ Deposit account Number: 07-1895

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.*

Stephen E. Reiter

Registration No. 31,192

Total number of pages including cover sheet, attachments, and document: 3

Date

### ASSIGNMENT

This Assignment is made by Enrique Saez of San Diego, California, Assignor, to THE SALK INSTITUTE FOR BIOLOGICAL STUDIES, Assignee, having a place of business at 10010 N. Torrey Pines Road, La Jolla, California 92037.

WHEREAS, Assignor has invented a new and useful invention entitled FORMULATIONS USEFUL FOR MODULATING EXPRESSION OF EXOGENOUS GENES IN MAMMALIAN SYSTEMS, AND PRODUCTS RELATED THERETO, for which an application for United States Letters Patent was filed on May 14, 1998 in the United States Patent and Trademark Office, identified as Attorney Docket No. SALK2310.

I authorize and request insertion of the serial number of the application when officially known:

United States Serial No.: 09/079,570;

WHEREAS, Assignor believes himself to be one of the original inventor of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor sells, assigns, and transfers to Assignee, the entire right, title, and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, he and his legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests the Assistant Commissioner for Patents of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the date provided below.

Assignor: ENRIQUE SAEZ

Date: 7/15/98

ENRIQUE SAEZ

STATE OF CALIFORNIA     )  
  ) ss.  
COUNTY OF SAN DIEGO    )

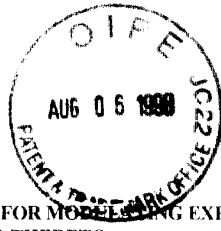
On July 15, 1998, before me, the undersigned Notary Public, personally appeared ENRIQUE SAEZ, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Constance Mueller  
Signature of Notary

Attorney Docket No.: SALK2310  
Applicant or Patentee: Evans and Saez  
Serial No. or Patent No.: Unassigned  
Filed: May 14, 1998



Title: **FORMULATIONS USEFUL FOR MODULATING EXPRESSION OF EXOGENOUS GENES IN MAMMALIAN SYSTEMS, AND PRODUCTS RELATED THERETO**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. §§1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION)**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION  
ADDRESS OF ORGANIZATION

**THE SALK INSTITUTE FOR BIOLOGICAL STUDIES  
10010 NORTH TORREY PINES ROAD  
LA JOLLA, CALIFORNIA 92037**

**TYPE OF ORGANIZATION**

- ☐ University or other Institution of Higher Education  
☒ Tax Exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c) (3))  
☐ Nonprofit Scientific or Educational under Statute of State of the United States of America (Name of State \_\_\_\_\_) (Citation of Statute \_\_\_\_\_)  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c) (3)) if located in the United States of America  
☐ Would qualify as nonprofit Scientific or Educational under Statute of State of the United States of America if located in the United States of America (Name of State \_\_\_\_\_) (Citation of Statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. §1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled **FORMULATIONS USEFUL FOR MODULATING EXPRESSION OF EXOGENOUS GENES IN MAMMALIAN SYSTEMS, AND PRODUCTS RELATED THERETO** by inventor(s) **Ronald M. Evans and Enrique Saez** described in:

- ☐ the specification filed herewith  
☒ Based on Application Serial No. 09/079,570 filed May 14, 1998  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I authorize and request insertion of the serial number of the application when officially known.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27)

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING  
TITLE IN ORGANIZATION  
ADDRESS OF PERSON SIGNING  
SIGNATURE

Douglas D. Busch  
Assistant Secretary & Director of Legal Services and Technology Transfer  
10010 North Torrey Pines Road, La Jolla, CA 92037  
Douglas D. Busch Date: July 8, 1998

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RECORDED: 08/06/1998

PATENT  
REEL: 9380 FRAME: 0131