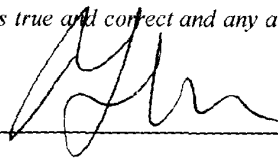


PATENT  
Attorney Docket No.: OPHD-03282

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|--|----|---|--|
| Form PTO-1595  | RE | 09-08-1998  | U.S. Department of Commerce<br>Patent and Trademark Office |
| To the Honorable Commissioner of Patents   |    | 100822670   | d original documents or copy thereof.                      |
| 1. Name of conveying party(ies):<br><br>John A. Kink<br><br>Additional name(s) of conveying party(ies) attached? No  |    | 2. Name and address of receiving party(ies):<br><br>Ophidian Pharmaceuticals, Inc.<br>5445 East Cheryl Parkway<br>Madison, Wisconsin 53711<br><br>Additional name(s) & address(es) attached? No   |  |
| 3. Nature of conveyance:<br><br>Assignment<br><br>Execution Date: 08/12/98   |    |   |  |
| 4. Title of Invention: <b>Prevention and Treatment of Sepsis</b><br>Application number(s) or patent number(s):<br><br>A. Patent Application No.(s):<br><br>09/095,536<br><br>B. Patent No.(s):<br><br><br>Additional numbers attached? No  |    |   |  |
| 5. Name and address of party to whom correspondence concerning document should be mailed:<br><br>Peter G. Carroll<br>MEDLEN & CARROLL, LLP<br>220 Montgomery Street, Suite 2200<br>San Francisco, California 94104   |    | 6. Total number of applications and patents involved: 1   |  |
|  |    | 7. Total fee(s):<br><br>Check(s) in the amount of \$105.00 enclosed ( \$65.00 surcharge for filing missing parts of an application and \$40.00 recordation fee).  |  |
|  |    | 8. Deposit Account Authorization:<br><br>The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose. |  |
| DO NOT USE THIS SPACE  |    |   |  |
| 9. Statement and Signature:<br><br>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.<br><br>Date: August 25, 1998<br><br>Signature: <br>Name: Peter G. Carroll<br>Reg. No.: 32,837<br><br>Total number of pages including cover sheet, attachments, and document: 3 |    |   |  |

## ASSIGNMENT

WHEREAS, I, John A. Kink, hereinafter referred to as "ASSIGNOR", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **Prevention and Treatment of Sepsis**

Filing Date: 06/10/98 Serial No.: 09/095,536

WHEREAS, Ophidian Pharmaceuticals, Inc., a Wisconsin corporation, 5445 East Cheryl Parkway, Madison, Wisconsin 53711, hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in said invention and application and in any Letters Patent which may be granted on the same;

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to ASSIGNOR by ASSIGNEE and other good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE's successors and assigns, all right, title and interest in and to said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been held and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any Letters Patent.


ASSIGNOR further agrees that ASSIGNOR will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications; execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof; and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, ASSIGNOR has hereunto signed ASSIGNOR's name to this assignment on the date indicated below.

  
\_\_\_\_\_  
John A. Kink

STATE OF Wisconsin )  
COUNTY OF Dane ) SS.

On this 12 day of August, in the year of 1998, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.

  
\_\_\_\_\_  
NOTARY PUBLIC

SEAL