

09-30-1998

9-18-98



Ref

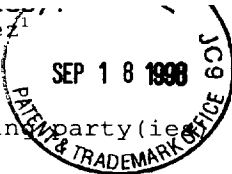
Attny Docket No. X-10230

se record the attached original

To the Honorable Commissioner  
documents or copy thereof:

100842202

## 1. Name of conveying party:

Carmen Dominguez Fernandez<sup>1</sup>  
James Allen Monn<sup>2</sup>  
Matthew John Valli<sup>2</sup>Additional name(s) of conveying party(ies)  
attached? ( ) Yes (X) No

## 2. Name &amp; address of receiving party(ies):

Name: Eli Lilly and Company

Internal Address: Patent Division

Street Address: Lilly Corporate Center

City: Indianapolis State: IN Zip: 46285

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

( ) Yes (X) No

## 3. Nature of conveyance:

(X) Assignment ( ) Merger  
( ) Security Agreement ( ) Change of Name  
( ) OtherExecution Dates: 1. November 13, 1996  
2. November 12, 1996

## 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):  
08/749,304

B. Patent No.(s):

Additional Numbers attached ( ) Yes (X) No

5. Name and address of party to whom  
correspondence concerning documents  
should be mailed:Cheryl Eyed  
Eli Lilly and Company  
Lilly Corporate Center  
Indianapolis, IN 462856. Total number of applications and  
patents involved: (1)7. Total fee (37 CFR \$3.41) \$ 40.00  
(\$40.00 per assignment)( ) Enclosed  
(X) Authorized to be charged to  
deposit account

8. Deposit account number: 05-0840

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.Martin A. Hay  
Reg. No. 39,459

Signature

September 11, 1998  
Date

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

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States  
Postal Service as first class mail in an envelope addressed to: Commissioner of Patents  
and Trademarks, Washington, D.C. 20231, on the date appearing below.

ELI LILLY AND COMPANY

BY Wanda M. DurbinDATE September 15, 1998Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

**ASSIGNMENT**

**WHEREAS** we, Carmen Dominguez Fernandez, James Allen Monn, and Matthew John Valli have made an invention which is the subject of an application for Letters Patent of the United States ("Application") entitled Excitatory Amino Acid Receptor Antagonists which has been executed by James Allen Monn and Matthew John Valli on the 12<sup>th</sup> day of November, 1996, and has been executed by Carmen Dominguez Fernandez on the 13<sup>th</sup> day of November, 1996, respectively;

**WHEREAS ELI LILLY AND COMPANY**, an Indiana corporation having its principal place of business at Lilly Corporate Center, Indianapolis, Indiana 46285, wishes to acquire the entire interest in all inventions disclosed in such Application;

**NOW, THEREFORE**, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over unto Eli Lilly and Company, its successors and assigns (collectively "Lilly") our entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in the United States or any foreign country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, reexaminations, reissues, Patent Cooperation Treaty applications, United States provisional patent applications, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates, copyrights, trademarks, and data package exclusivity rights; and any and all Letters Patent with respect to the application; all of the above to be held and enjoyed by Lilly for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by us had this Assignment and sale to Lilly not been made.

We hereby grant power of attorney to Lilly for the purpose of taking any actions (including, abandonment) and making any payments with respect to the Application for patent applications filed under the Patent Cooperation Treaty and appoint Eli Lilly and Company as COMMON REPRESENTATIVE to represent us before all competent International Authorities in connection with all International applications filed under the Patent Cooperation Treaty by an agent selected at the sole discretion of COMMON REPRESENTATIVE, Lilly, with (i) the United States Patent and Trademark Office acting as PCT receiving office, (ii) the European Patent Office acting as PCT representative, or (iii) the WIPO PCT International Bureau.

For ourselves and for our heirs, successors and legal representatives, we covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

For ourselves and for our heirs, successors and legal representatives, we further covenant and agree with Lilly that upon request we and they will, without further consideration than that now paid, but at the expense of Lilly: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Lilly any facts known to us or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Lilly, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Lilly or its nominees, in the United States and in all other countries where Lilly may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Lilly and to vest and confirm in Lilly or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

**IN WITNESS WHEREOF** James Allen Monn and Matthew John Valli have executed this assignment on the 12th day of November, 1996.

James Allen Monn  
James Allen Monn  
Matthew John Valli  
Matthew John Valli

## UNITED STATES OF AMERICA

STATE OF INDIANA )

)

ss:

November 12, 1996

COUNTY OF MARION )

)

Before me, a Notary Public for Morgan County, State of Indiana, personally appeared James Allen Monn and Matthew John Valli and acknowledged the execution of the foregoing instrument this 12th day of November, 1996.

Julie Ann Woodard  
Notary Public

My commission expires:

IN WITNESS WHEREOF Carmen Dominguez Fernandez has executed this assignment on the 13th day of November, 1996.

Carmen Dominguez Fernandez  
Carmen Dominguez Fernandez

## UNITED STATES OF AMERICA

STATE OF INDIANA )

) ss:

November 13 1996

COUNTY OF MARION )

Before me, a Notary Public for Morgan County, State of Indiana, personally appeared Carmen Dominguez Fernandez and acknowledged the execution of the foregoing instrument this 13th day of November, 1996.

Julie Ann Worland  
Notary Public

My commission expires:

JULIE ANN WORLAND  
MORGAN COUNTY  
MY COMMISSION EXPIRES  
JULY 20, 1997