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11-04-1998

PATENT APPLICATION

IN THE U



ADEMARK OFFICE

100867166

In Re the Application of:)
Dowling, Patricia W.)
Youngner, Julius S.)
Serial No.: 09/133,921)
Filed: August 13, 1998)
Atty. File No.: EQ-1)
For: "COLD-ADAPTED EQUINE)
INFLUENZA VIRUSES")

Group Art Unit: 1642

Examiner:

RECORDATION OF ASSIGNMENT

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 BOX ASSIGNMENT, COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231, ON THIS 22 DAY OF OCTOBER 1998.

HESKA CORPORATION

By: *Susan A. Gordon*
Susan A. Gordon

BOX ASSIGNMENT

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

Dear Sir:

Please record the attached original documents or copy thereof:

1. Name of conveying parties:

Patricia W. Dowling
Julius S. Youngner

2. Name and address of receiving party:

The University of Pittsburgh - of the
Commonwealth System of Higher Education
911 William Pitt Union
Pittsburgh, Pennsylvania 15260

3. Nature of Conveyance:

Assignment, executed September 25, 1998

40.00 CP
11/03/1998 JWH/KINS 00000269 09133921
FC:561

4. This document is being filed in connection with U.S. Patent Application Serial No. 09/133,921, filed on August 13, 1998.
5. Name and address of party to whom correspondence concerning documents should be mailed:

Carol Talkington Verser, Ph.D.
Heska Corporation
1825 Sharp Point Drive
Fort Collins, Colorado 80525
6. Total number of applications and patents involved: 1.
7. Total number of pages, including cover sheet, attachments and document: 4.
8. Total fee (37 CFR 3.41) of \$40.00 is enclosed.
9. Deposit account number: 081930.

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.

Respectfully submitted:

Date: October 22, 1998

Carol Talkington Verser
Carol Talkington Verser, Ph.D.
Registration No. 37,459
Heska Corporation
1825 Sharp Point Drive
Fort Collins, Colorado 80525
Telephone: (970) 493-7272
Facsimile: (970) 484-9505

ASSIGNMENT

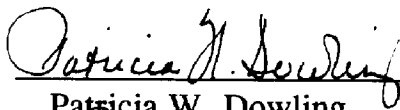
WHEREAS, we, Patricia W. Dowling of Amberson Towers, Apt. 220, 5 Bayard Road, Pittsburgh, PA 15213; and Julius S. Youngner of 5831 Marlborough Ave., Pittsburgh, PA 15217; have invented a certain new and useful invention entitled "COLD-ADAPTED EQUINE INFLUENZA VIRUSES" for which an application for Letters Patent of the United States was filed on August 13, 1998, receiving Serial No. 09/133,921, and further identified as Attorney File No. EQ-1;

NOW THEREFORE, be it known that we, Patricia W. Dowling and Julius S. Youngner, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, at the request of The University of Pittsburgh - of the Commonwealth System of Higher Education, the "Assignee", having a principal place of business at 911 William Pitt Union, Pittsburgh, Pennsylvania 15260, do sell, assign and transfer unto said Assignee, its successors, legal representatives and assigns, our rights to the aforesaid application for Letters Patent in the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; we also assign to The University of Pittsburgh - of the Commonwealth System of Higher Education, all right, title or interest in and to said invention which has not already been transferred to the Assignee, we warrant that we have made no assignment of the invention, application or patent therefor to a party other than The University of Pittsburgh - of the Commonwealth System of Higher Education, and we are under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and we further agree to cooperate with the Assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming Assignee's ownership rights to the invention, but at the expense of said Assignee.

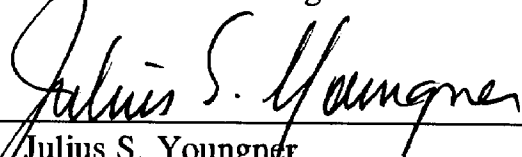
The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent, solely in accordance with the terms of this Assignment, to The University of Pittsburgh - of the Commonwealth System of Higher Education, its successors, legal representatives and assigns, as the Assignee of our entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date indicated hereunder.

Date: 9/25/98

By: 
Patricia W. Dowling

Date: 9/25/98

By: 
Julius S. Youngner

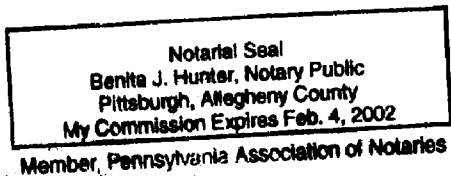
ATTY. DOCKET NO. EQ-1

PATENT
REEL: 9549 FRAME: 0430

STATE OF PA)
) ss.
COUNTY OF Allegheny)

Before me, a Notary Public in and for said County and State, personally appeared Patricia W. Dowling, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 25th day of September 1998.



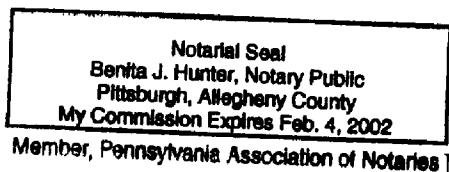
Benita J. Hunter
Notary Public

My Commission Expires: Feb 04, 2002

STATE OF PA)
) ss.
COUNTY OF Allegheny)

Before me, a Notary Public in and for said County and State, personally appeared Julius S. Youngner, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 25th day of September 1998.



Benita J. Hunter
Notary Public

My Commission Expires: Feb 04, 2002