

11-03-1999

Docket No.: CPI9803p9MA3

RECO



HEET

MRD 11/1/99

101190660

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

1. Name of conveying party(ies)

- a) Francis P. Tally
- b) Jianshi Tao
- c) Philip A. Wendler
- d) Gene Connelly
- e) Paul L. Gallant
- f) Xiaoyu Shen
- g) Jiansu Zhang

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

2. Name and address of receiving party(ies)

Name: Cubist Pharmaceuticals, Inc.

Internal Address: _____

Street Address: 24 Emily Street

City: Cambridge State: MA ZIP: 02139

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other _____

Execution Date: a) 8/18/99 ; b) 8/9/99 ; c) 8/9/99 ; d) 8/6/99 ;
e) 8/11/99 ; f) 8/12/99 ; g) 8/11/99

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)
09/344,783

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: David E. Brook, Esq.

Internal Address: _____

Hamilton, Brook, Smith & Reynolds, P.C.

Street Address: Two Militia Drive

City: Lexington State: MA ZIP: 02421-4799

6. Total number of applications and patents involved: [1]

7. Total Fee (37 C.F.R. 3.41)..... \$ 40.00

- ☒ Enclosed
- ☒ Authorized to charge any deficiencies or credit any overpayment to deposit account
- ☐ Authorized to be charged to deposit account

8. Deposit account number:

08-0380

(Attach duplicate copy of this page if paying by deposit account)

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

Carol A. Egner

Name of Person Signing

Carol A. Egner
Signature

October 29, 1999
Date

Total number of pages including cover sheet, attachments, and document: [6]

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40.00 OP

PATENT
REEL: 010346 FRAME: 0866

JointASSIGNMENT

WHEREAS, we, **Francis P. Tally, Jianshi Tao, Philip A. Wendler, Gene Connelly, Paul L. Gallant, Xiaoyu Shen, and Jiansu Zhang**, have invented a certain improvement in Method for Identifying Validated Target and Assay Combinations for Drug Development described in an application for Letters Patent of the United States, the specification of which:

[] is being executed on even date herewith and is about to be filed in the United States Patent Office;

[X] was filed on June 25, 1999 as Application No. 09/344,783;

[] was patented under U.S. Patent No. _____ on _____.

WHEREAS, **Cubist Pharmaceuticals, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, and having a usual place of business at 24 Emily Street, Cambridge, MA 02139 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: Francis P. Tally
Francis P. Tally

State/Commonwealth
of Massachusetts
County of Middlesex

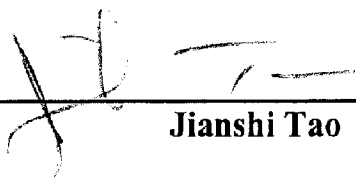
Then personally appeared before me the above-named **Francis P. Tally** and acknowledged that he executed the foregoing instrument as his free act and deed this 18 day of August, 19 99.

(SEAL) Shelley L. Misunas Notary Public
(print name)

My Commission expires ____/____/____

SHELLEY L. MISUNAS
Notary Public
My Commission Expires April 10, 2003

Inventor's Signature: _____


Jianshi Tao

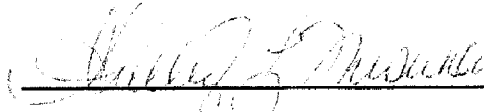
State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Jianshi Tao** and acknowledged that he executed the foregoing instrument as his free act and deed this 9th day of August, 19 99.

(SEAL)



Notary Public

SHELLEY L. MISUNAS

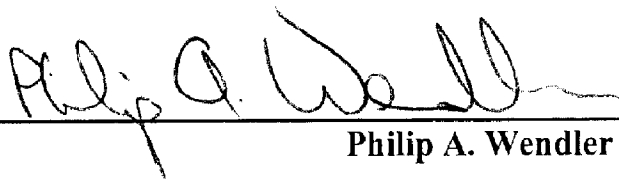
Notary Public

My Commission Expires April 10, 2003

(print name)

My Commission expires ____/____/____

Inventor's Signature: _____


Philip A. Wendler


State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Philip A. Wendler** and acknowledged that he executed the foregoing instrument as his free act and deed this 9th day of August, 19 99.

(SEAL)



Notary Public

SHELLEY L. MISUNAS

Notary Public

My Commission Expires April 10, 2003

(print name)

My Commission expires ____/____/____

PATENT

REEL: 010346 FRAME: 0869

Inventor's Signature: _____

Gene Connelly

State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Gene Connelly** and acknowledged that he executed the foregoing instrument as his free act and deed this 10th day of August, 1999.

(SEAL)

Shelley L. Misunas

Notary Public

(print name)

My Commission expires ____/____/____

SHELLEY L. MISUNAS

Notary Public

My Commission Expires April 10, 2003

Inventor's Signature: _____

Paul L. Gallant

State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Paul L. Gallant** and acknowledged that he executed the foregoing instrument as his free act and deed this 11th day of August, 1999.

(SEAL)

Shelley L. Misunas

Notary Public

(print name)

My Commission expires ____/____/____

SHELLEY L. MISUNAS

Notary Public

My Commission Expires April 10, 2003

PATENT

REEL: 010346 FRAME: 0870

Inventor's Signature: Xiaoyu Shen
Xiaoyu Shen

State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Xiaoyu Shen** and acknowledged that he executed the foregoing instrument as his free act and deed this 12 day of August, 19 99.

(SEAL)

Shelley L. Misunas Notary Public
(print name)

My Commission expires / /

SHELLEY L. MISUNAS
Notary Public

My Commission Expires April 10, 2003

Inventor's Signature: Jiansu Zhang
Jiansu Zhang

State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Jiansu Zhang** and acknowledged that she executed the foregoing instrument as her free act and deed this 11th day of August, 19 99.

(SEAL)

Shelley L. Misunas Notary Public
(print name)

My Commission expires / /

SHELLEY L. MISUNAS
Notary Public
My Commission Expires April 10, 2003