

Client Code: NEREUS.002A

04/11/00

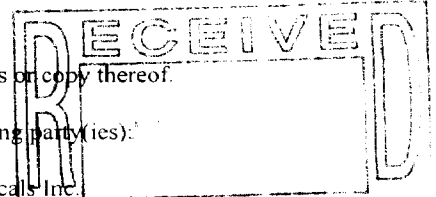
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TO THE ASSISTANT COMMISSIONER FOR PATENTS: Please record the attached original documents or copy thereof.

1. Name of conveying parties: (If multiple assignors, list numerically)

- 1. Kenji Fukumoto; 2. Shirokichi Kohno
- 3. Kaneo Kanoh; 4. Tohru Asari
- 5. Hiroshi Kawashima; 6. Hirokatsu Sekiya
- 7. Kazunori Ohmizo; 8. Takeo Harada

2. Name and address of receiving party(ies):

**Name:** Nereus Pharmaceuticals Inc.  
**Internal Address:**  
**Street Address:** 9255 Towne Center Drive, Suite 300  
**City:** San Diego **State:** CA **ZIP:** 92101

Additional name(s) of receiving party(ies) attached?  
 (X) Yes ( ) No

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

3. Nature of conveyance

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above) 1. 2/21/00; 2. 2/21/00; 3. 3/7/00; 4. 3/13/00; 5. 3/13/00; 6. 3/13/00; 7. 3/13/00; 8. 3/29/00

4. Application number(s) or Patent number(s):

- Application(s) filed herewith Execution Date(s):
- Patent Application No.: 09/440,316  
Filing Date: November 12, 1999
- Patent No.:  
Issue Date:

Additional numbers attached? ( ) Yes (X) No

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

**Name:** Joseph M. Reisman  
 KNOBBE, MARTENS, OLSON & BEAR, LLP  
 Customer No. 20,995  
**Internal Address:** Sixteenth Floor  
**Street Address:** 620 Newport Center Drive  
**City:** Newport Beach **State:** CA **ZIP:** 92660  
**Attorney's Docket No.:** NEREUS.002A

7. Total fee (37 CFR 3.41): \$40

- Enclosed
- Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

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.

Joseph M. Reisman  
 Name of Person Signifying

Signature

April 7, 2000  
 Date

43,868  
 Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents  
 Box Assignments  
 Washington, D.C. 20231

ASSIGNMENT

## WHEREAS, WE:

- (1) Kenji Fukumoto, a Japanese citizen, residing at 1-19-216-34 Akenominami, Ohita 870-0163, Japan;
- (2) Shinkichi Kohno, a Japanese citizen, 6 Uwamuki-Aza-Kitsunezaki, Kosaka-cho, Kazuno-gun 017-0203, Japan;
- (3) Kaneo Kanoh, a Japanese citizen, residing at 20-1 Shintomi, Futtsu 293-8511, Japan;
- (4) Tohru Asari, a Japanese citizen, residing at 46-80 Nakaharu Sakinohama, Tobata-ku, Kitakyushu 804-0002, Japan;
- (5) Hiroshi Kawashima, a Japanese citizen, residing at 46-80 Nakaharu Sakinohama, Tobata-ku, Kitakyushu 804-0002, Japan;
- (6) Hirokatsu Sekiya, a Japanese citizen, residing at 46-80 Nakaharu Sakinohama, Tobata-ku, Kitakyushu 804-0002, Japan;
- (7) Kazunori Ohmizo, a Japanese citizen, residing at 1 Tsukiji, Kisaradu 292-0835, Japan;
- (8) Takeo Harada, a Japanese citizen, residing at 632-1 Mifuku, Ohhito, Tagata-gun 410-2321, Japan.

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in PHENYLAHISTIN AND THE PHENYLAHISTIN ANALOGS, A NEW CLASS OF ANTI-TUMOR COMPOUNDS the specification of which:

- (a) was executed on even date herewith;
- (b)  was filed on November 12, 1999 as  Application No. 09/440,316 or  Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable); or
- (c) was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

AND WHEREAS, Nereus Pharmaceuticals Inc. with its principal place of business at 9255 Towne Center Drive, Suite 300, San Diego, CA 92101, (hereinafter referred to as Assignee) desires to acquire the entire right, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 21st day of February, 2000

Kenji Fukumoto  
Signature of Kenji Fukumoto

This 21st day of February, 2000

Shinkichi Kohno  
Signature of Shinkichi Kohno

This 7th day of March, 2000

Kaneo Kanoh  
Signature of Kaneo Kanoh

This 13th day of March, 2000

Tohru Asari  
Signature of Tohru Asari

This    day of   , 2000

Hiroshi Kawashima  
Signature of Hiroshi Kawashima

This 13st day of March, 2000

Hirokatsu Sekiya  
Signature of Hirokatsu Sekiya

This 13st day of March, 2000

Kazunori Ohmizo  
Signature of Kazunori Ohmizo

This 21 day of   , 2000

Takeo Harada  
Signature of Takeo Harada

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