



05-23-2000

Form PTO-1595 (modified)

1-3-92



HEET

U.S. Department of Commerce  
Patent and Trademark Office

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5.16.00

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

1. Name of conveying party(ies):

- 1. David L. BERLINER
- 2. Louis MONTI
- 3. Clive L. JENNINGS-WHITE

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

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

**Name:** Pherin Pharmaceuticals, Inc.

**Internal Address:**

**Street Address:** 535 Middlefield Road, Suite 240  
Menlo Park CA 94025

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

3. Nature of conveyance:

ASSIGNMENT - copy (4 pages)

Execution Date: 1: 2/29/00, 2: 3/1/00, 3: 3/6/00

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

**Attorney Docket No. 18136-1042**

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
App. No. 09/475,328

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

**Name:** Heller Ehrman White & McAuliffe LLP

**Internal Address:**

**Street Address:** 525 University Avenue

**City:** Palo Alto **State:** CA **Zip:** 94301-1908

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41)..... \$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit Account Number:

08-1641

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.*

Derek P. Freyberg, Reg. No. 29,250

Name of Person Signing

Signature

5/9/00

Date

Total number of pages including cover sheet, attachments and document: [ 5 ]

ASSIGNMENT

WHEREAS, We, David L. Berliner, Louis Monti, and Clive L. Jennings-White, of Atherton, California, Salt Lake City, Utah, and Salt Lake City, Utah, respectively, have invented certain subject matter entitled "Weight Promoting Composition, Method, and Product" (the "Invention") for which We have executed an Application for Letters Patent of the United States of America, Attorney Docket No. 18136-1042, filed in the US Patent & Trademark Office on December 30, 1999 as Application Number 09/475,238.

AND WHEREAS, Pherin Pharmaceuticals, Inc., having an address at 535 Middlefield Road, Suite 240, Menlo Park, California 94025 ("Pherin") desires to perfect its right to the Invention and in the Letters Patent to be obtained therefor from the United States of America and all countries foreign thereto;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, We acknowledge Pherin's interest in the Invention and hereby assign to Pherin for the United States of America and all countries foreign thereto, all our right, title and interest in the Invention, including the right to claim priority under the Paris Convention, as described in Application Number 09/475,328, or in any continuation, division, reissue, reexamination or extension thereof, or any foreign equivalents thereto; the Invention, application(s) and Letters Patent to be owned by Pherin's successors, assigns and legal representatives, to the full end of the term for which such Letters Patent may be granted.

This assignment is effective as of December 30, 1999.

\*\* Page 1 of <sup>4</sup>8, blank below this point \*\*

I have read and understand this Assignment for Application Number 09/475,328 and agree hereto, as indicated by my signature below.

Signature [Signature] 2/29/00 Date  
David L. Berliner

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Mateo

On 2/29/00 before me, K. DIANE FOX, NOTARY PUBLIC.  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared David L. Berliner

NAME(S) OF SIGNER(S)

personally known to me - OR -

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]  
SIGNATURE OF NOTARY

**OPTIONAL SECTION**

**CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)

TITLE(S)

- PARTNER(S)  LIMITED
- GENERAL

- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**

NAME OF PERSON(S) OR ENTITY(ES)

**OPTIONAL SECTION**

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT ASSIGNMENT

NUMBER OF PAGES 4 DATE OF DOCUMENT 12/30/99

SIGNER(S) OTHER THAN NAMED LOUIS MONTI  
CLIVE L. JENNINGS - WHITE

I have read and understand this Assignment for Application Number 09/475,328 and agree hereto, as indicated by my signature below.

Signature *[Signature]* Date 3-1-00  
Louis Monti

Signature ~~Clive L. Jennings-White~~ Date \_\_\_\_\_

**ALL-PURPOSE ACKNOWLEDGMENT**

State of ~~Utah~~ CALIFORNIA  
County of SAN MATEO  
On 3/1/00 before me, K. DIANE FOX NOTARY PUBLIC  
DATE NAME, TITLE OF OFFICER - E.G., "JAN/DOE, NOTARY PUBLIC"  
personally appeared Louis Monti and Clive L. Jennings-White  
NAME(S) OF SIGNER(S)

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.  
*[Signature]*  
SIGNATURE OF NOTARY

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 GUARDIAN/CONSERVATOR  
 OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(ES)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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CLIVE L. JENNINGS-WHITE

