

06-08-2000

MD 5.16.00



Docket No. X-7188A

[the attached original

101375240

To the Honorable Commissioner of Patents documents or copy thereof:

1. Name of conveying party(ies): *MD*
 Thomas D. Ingolia *MD MAY 16 PM 12: 01*
 Stephen W. Queener
 Suellen M. Samson *OPR/FINANCE*
 Paul L. Skatrud

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

2. Name & 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

3. Nature of conveyance:
 (X) Assignment () Merger
 () Security Agreement () Change of Name
 () Other _____
 Execution Date: December 7, 1988

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

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): 07/283,429 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 46285

6. 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 (along with any additional fees or the credit of any overpayment)
 8. Deposit account number: 05-0840

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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.
 Ronald S. Maciak _____ *Ronald S. Maciak* _____ *11/14/00*
 Name of Attorney Signing Signature Date
 Reg. No. 35,262

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

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.

BY *KS Rodes* _____ ELI LILLY AND COMPANY DATE *5-11-00* _____

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents & Trademarks, Box Assignments
 Washington, D.C. 20231

06/07/2000 DNGUYEN 00000133 050840 07283429

01 FC:581 40.00 CH

PATENT REEL: 010826 FRAME: 0756

ASSIGNMENT

Docket No. X-7188A

Whereas, we, Thomas D. Ingolia, Stephen W. Queener, Suellen M. Samson and Paul L. Skatrud

have made an invention which is the subject of an application for Letters Patent of the United States ("Application") entitled RECOMBINANT DNA EXPRESSION VECTORS AND DNA COMPOUNDS THAT ENCODE DEACETOXYCEPHALOSPORIN C SYNTHETASE AND DEACETYLCEPHALOSPORIN C SYNTHETASE

which has been executed by us on the _____ day of _____, 19____; and

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 Letters Patent of the United States and of all other countries which may be granted for such inventions, or any of them, all such inventions and all rights in such Application and Letters Patent 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 may be granted, as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

We authorize and request the Commissioner of Patents and Trademarks of the United States to issue any such Letters Patent which may be granted on the Application to Lilly as assignee of the entire right, title and interest therein and thereto.

For ourselves and for our legal representatives, we covenant and agree with Lilly that we have not granted to any others any license to make, use or sell any of such inventions, that our right, title and interest in such inventions has not been encumbered, that we have good right and title to sell and assign the same, and that we will not execute any instrument in conflict herewith.

For ourselves and for our heirs, successors and legal representatives, we further covenant and agree with Lilly that upon request we and they will: (i) execute continuing, divisional, or reissue applications, amended specifications, or rightful declarations or oaths; (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 or litigation; (iv) execute and deliver any application papers, 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 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, without further consideration than that now paid but at the expense of Lilly.

In Witness Whereof we have executed this assignment on the 7th day of December, 1988

Thomas D. Ingolia
Thomas D. Ingolia
Suellen M. Samson
Suellen M. Samson

Stephen W. Queener
Stephen W. Queener
Paul L. Skatrud
Paul L. Skatrud

UNITED STATES OF AMERICA

State of Indiana
County of Marion

} ss. December 7th, 1988

Before me, a Notary Public for Marion County, State of Indiana, personally appeared Thomas Ingolia, Stephen Queener, Suellen Samson and Paul Skatrud and acknowledged the execution of the foregoing instrument this 7th day of December, 1988

Berna J. Harris
Notary Public
BERNA J. HARRIS
My Commission Expires
June 1, 1991
Resident of Marion County

PATENT

RECORDED: 05/16/2000

REEL: 010826 FRAME: 0757