

08-07-2000

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

101423991

Docket No. 248/037

RECORDATION FORM  
PATENTS ONLY

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

1. Name of conveying party(ies): 7-31-00  
Jerry Pelletier  
Phillippe Gros  
Michael Dubow

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

Execution Dates: April 14 &amp; 18, 2000

2. Name and address of receiving party:

Name: Phagotech, Inc.Street Address: C.P. 387, Place du ParcCity: Montreal Province & Country: Quebec, Canada Zip: H2W 2N9Additional name(s) & address(es) attached? ☐ Yes ☒ 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). 09/454,252

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

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

Name: Richard J. WarburgInternal Address: Brobeck, Phleger & Harrison LLP  
12390 El Camino Real  
San Diego, CA 92130-20816. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): \$ 40.00☒ Enclosed☐ Charge this Deposit Account if any additional fee is required8. Deposit Account Number: 50-1273

## 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.

Wesley B. Ames  
Wesley B. Ames, Reg. No. 40,893Date: 27 July 2000Total number of pages including cover sheet: 5

OMB No. 0651-0011 (exp. 4/94)

## Do not detach this portion

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

08/03/2000 GTEFFERA 00000090 09454252

01 FC:581

40.00 DP

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

## **ASSIGNMENT**

For valuable consideration, we, JERRY PELLETIER of Baie-D'Urfe, Quebec and a citizen of Canada; PHILLIPPE GROS of St. Lambert and a citizen of Canada; and MICHAEL DUBOW of Montreal, Quebec and a citizen of Canada (hereinafter referred to as "Assignors") hereby assign to PHAGETECH, INC., a Canadian corporation having a place of business at C.P. 387, Place du Parc, Montreal H2W 2N9, Quebec, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the invention and improvements which are the subject of an application for United States Patent filed December 2, 1999, U.S. Serial No. 09/454,252 and related applications and patents, entitled **DEVELOPMENT OF NOVEL ANTI-MICROBIAL AGENTS BASED ON BACTERIOPHAGE GENOMICS**, this assignment including said application, any and all United States and foreign patents granted for any of said inventions or improvements, including all divisions, continuations, reissues, continuations-in-part and extensions thereof, and the right to claim priority based on the filing date of said application and based on the filing date of any provisional application of which said application claims the benefit under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our names or in its own name for patents and like rights of exclusion and for inventor's certificates for said inventions and improvements; and we agree for ourselves and our heirs, legal representatives and assigns, without further compensation, upon request to perform such lawful acts, to promptly provide Assignee with all pertinent facts and documents relating to said invention or application as may be known and accessible to us, to testify in any interference or litigation related to said invention or application and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this Assignment.

The Assignors hereby covenant that no assignment, sale, agreement, or encumbrance has been or will be made or entered into which would conflict with this Agreement.

WITNESS my hand at C.P. 387, Place du Parc, Montreal (Quebec) H2W 2N9,  
this 14<sup>th</sup> day of April, 2000.

Jerry Pelletier  
Jerry Pelletier

STATE OF Quebec )  
 ) ss  
COUNTY OF Canada )

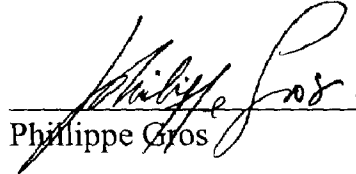
On April 14, 2000 before me, Marie-Josée Leclerc notary personally appeared  
Jerry Pelletier

☐ 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.

Marie-Josée Leclerc notary  
Notary Public in and for said County and State

WITNESS my hand at C.P. 387, Place du Parc, Montreal, Quebec H2W 2N9,  
this 18<sup>th</sup> day of April, 2000.

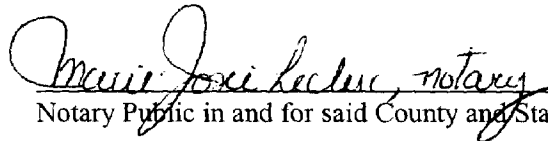
  
Philippe Gros

STATE OF Quebec )  
 ) ss  
COUNTY OF Canada )

On April 18, 2000 before me, Marie-Josée Leclerc, notary, personally appeared  
Philippe Gros

☐ 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.

  
Notary Public in and for said County and State

WITNESS my hand at C.P. 387, Place du Parc, Montreal (Quebec) H2W 2N9,  
this 14<sup>th</sup> day of April, 2000.

Michael D. DuBow  
Michael DuBow

STATE OF Quebec )  
 ) ss  
COUNTY OF Canada )

On April 14, 2000 before me, Marie-Josée Leclerc, notary personally appeared  
Michael DuBow

☐ 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.

Marie-Josée Leclerc notary  
Notary Public in and for said County and State

1