

8-28-00

10-11-2000

015280-249100US
Ref. No.: E-186-95/1



101483878

FORM PTO-1595
(Rev. 6-93)

Recordatio

(Patent)

Department of Commerce
Patent and Trademark Office

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

George N. Pavlakis, George A. Gaitanaris,
Roland H. Stauber, and John N. Vournakis

Additional name(s) of conveying parties attached? Yes
 No.

2. Name and address of receiving party(ies)

Name: The Government of the United States of America as
represented by the Secretary of the Department of
Health and Human Services

Internal Address: National Institutes of Health
Office of Technology Transfer

Street Address: 6011 Executive Boulevard, Suite 325

City: Rockville State: Maryland ZIP: 20852-3804

Additional names and addresses attached? Yes No

3. Nature of conveyance:

 Assignment Merger

 Security Agreement Change of Name

 Other:

Execution Date: August 10, 2000; August 10, 2000;
July 25, 2000, and August 1, 2000

4. Application Number(s) or Patent Numbers.

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

A. Patent Application No(s): 09/503,222 B. Patent No(s):

Additional numbers attached? Yes No

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

Name: Annette S. Parent, Esq.
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

6. Total number of applications and patents involved: ONE

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

 Enclosed Charge Fees to Deposit Account

 Charge any additional fees associated with this paper or during
the pendency of this application, or credit any overpayment, to
deposit account.

8. Deposit account number: 20-1430

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.

Hector A. Alicea Hector Alicea 8/22/00
Name of Person Signing Signature Date

Atty Reg. No. 40,891 Total number of pages including cover sheet, attachments and document 13

10. Change Correspondence Address to that of Part 5? Yes No
OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover to:
Do not detach this portion
Asst. Commissioner for Patents
Box: Assignments
Washington, D.C. 20231

10/11/2000 GT0M11 00000094 201430 09503222
01 FC:581 40.00 CH

WHEREAS, We, George N. Pavlakis, 9 Purdue Court, Rockville, MD 20850, a U.S. citizen; George A. Gaitanaris, 814 Blakely Court, Apt. 234, Frederick, MD 21702, a citizen of Greece; Roland H. Stauber, Holzweg 6, D-91056 Erlangen, Bavaria, Germany, a citizen of Germany; and John N. Vournakis, 19 Menotti Street, Charleston, SC 29401, a U.S. citizen, employees of the Department of Health and Human Services at the time the invention was made, have invented (title of invention): MUTANT AEQUOREA VICTORIA FLUORESCENT PROTEINS HAVING INCREASED CELLULAR FLUORESCENCE, for which an application to the Assistant Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned

on (date(s) Declaration signed):

is identified as U.S. Patent Application:
Serial No. 09/503,222

Filed February 11, 2000; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States of America; and

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

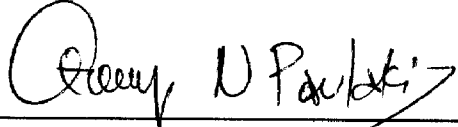
AND, we hereby authorize and request the Assistant Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest in and to the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;


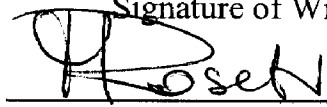
AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

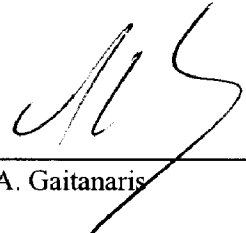
The undersigned hereby grants THE GOVERNMENT or the law firm of Townsend and Townsend and Crew LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

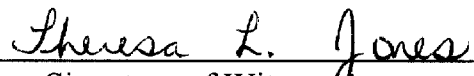
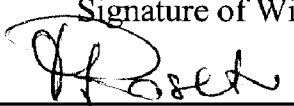
1.  Aug 10, 2000
George N. Pavlakis Date

SIGNATURE WITNESSED BY:

(1) Date: Aug 10, 2000 
Signature of Witness 1
(2) Date: Aug 10, 2000 
Signature of Witness 2

2.  8/10/00
George A. Gaitanaris Date

SIGNATURE WITNESSED BY:

(1) Date: Aug 10, 2000 
Signature of Witness 1
(2) Date: Aug 10, 2000 
Signature of Witness 2

3.

Roland H. Stauber

Date

SIGNATURE WITNESSED BY:

(1) Date: _____

Signature of Witness 1

(2) Date: _____

Signature of Witness 2

4.

John N. Vournakis

Date

SIGNATURE WITNESSED BY:

(1) Date: _____

Signature of Witness 1

(2) Date: _____

Signature of Witness 2

ASSIGNMENT**JOINT**

WHEREAS, We, George N. Pavlakis, 9 Purdue Court, Rockville, MD 20850, a U.S. citizen; George A. Gaitanaris, 814 Blakely Court, Apt. 234, Frederick, MD 21702, a citizen of Greece; Roland H. Stauber, Holzweg 6, D-91056 Erlangen, Bavaria, Germany, a citizen of Germany; and John N. Voumakis, 19 Menotti Street, Charleston, SC 29401, a U.S. citizen, employees of the Department of Health and Human Services at the time the invention was made, have invented (title of invention): **MUTANT Aequorea victoria fluorescent proteins having increased cellular fluorescence**, for which an application to the Assistant Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned

on (date(s) Declaration signed):

is identified as U.S. Patent Application:
Serial No. 09/503,222

Filed February 11, 2000; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States of America; and

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

AND, we hereby authorize and request the Assistant Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest in and to the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;

AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

The undersigned hereby grants THE GOVERNMENT or the law firm of Townsend and Townsend and Crew LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

1. _____
George N. Pavlakis Date

SIGNATURE WITNESSED BY:

(1) Date: _____
Signature of Witness 1

(2) Date: _____
Signature of Witness 2

2. _____
George A. Gaitanaris Date

SIGNATURE WITNESSED BY:

(1) Date: _____
Signature of Witness 1

(2) Date: _____
Signature of Witness 2

3. R. Stauber 7/25/2000
 Roland H. Stauber Date

SIGNATURE WITNESSED BY:

(1) Date: 7/25/2000

Friedrich Krueger

Signature of Witness 1

(2) Date: 7/25/2000

Alexander P. ...

Signature of Witness 2

4. _____
 John N. Vournakis Date

SIGNATURE WITNESSED BY:

(1) Date: _____

Signature of Witness 1

(2) Date: _____

Signature of Witness 2

WHEREAS, We, George N. Pavlakis, 9 Purdue Court, Rockville, MD 20850, a U.S. citizen; George A. Gaitanaris, 814 Blakely Court, Apt. 234, Frederick, MD 21702, a citizen of Greece; Roland H. Stauber, Holzweg 6, D-91056 Erlangen, Bavaria, Germany, a citizen of Germany; and John N. Vournakis, 19 Menotti Street, Charleston, SC 29401, a U.S. citizen, employees of the Department of Health and Human Services at the time the invention was made, have invented (title of invention): MUTANT AEQUOREA VICTORIA FLUORESCENT PROTEINS HAVING INCREASED CELLULAR FLUORESCENCE, for which an application to the Assistant Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned

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NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

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1. _____
George N. Pavlakis _____
Date

SIGNATURE WITNESSED BY:

(1) Date: _____
Signature of Witness 1

(2) Date: _____
Signature of Witness 2

2. _____
George A. Gaitanaris _____
Date

SIGNATURE WITNESSED BY:

(1) Date: _____
Signature of Witness 1

(2) Date: _____
Signature of Witness 2

3.

Roland H. Stauber

Date

SIGNATURE WITNESSED BY:

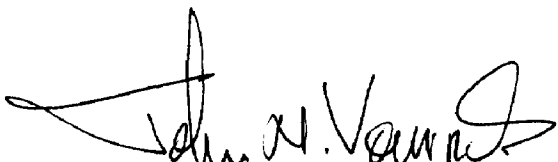
(1) Date: _____

Signature of Witness 1

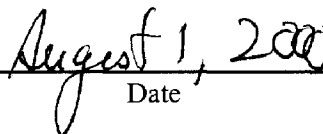
(2) Date: _____

Signature of Witness 2

4.



John N. Vournakis

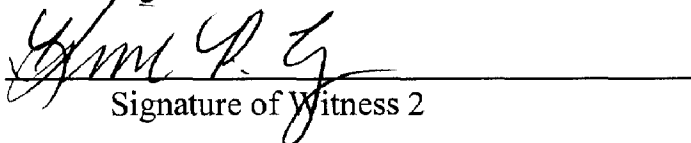

Date

SIGNATURE WITNESSED BY:

(1) Date: 8/1/00


Signature of Witness 1

(2) Date: 8/1/00


Signature of Witness 2

SF 1118114 v1