

10-18-2000

orney Docket No. 015280-122120US

DHHS Rf. No. E-135-89/2



FORM PTO-1595

(Rev. 6-93)

101490494

U.S. 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):

David FitzGerald

Vijay K. Chaudhary

Ira H. Pastan

Thomas A. Waldeman

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

Additional names and addresses attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger☐ Security Agreement ☐ Change of Name☐ Other:

Execution Date: 10/25/91, 10/23/91, and 9/26/91

MRD 8.22.00

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:

A. Patent Application No(s): 08/461,825

B. Patent No(s): 5,863,745

Additional numbers attached? ☐ Yes ☒ No

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

Name: Laurence J. Hyman  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200

6. Total number of applications and patents involved 1

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

☐ 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

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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.*

Laurence J. Hyman

Name of Person Signing

Atty Reg. No. 35,551

Signature

Date

8/15/00

Total number of pages including cover sheet, attachments and document 4

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☒ Yes ☐ No

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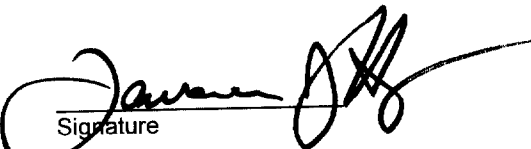
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04-12-2000



Attorney Docket No. 015280-122120US

FORM PTO-1595 (Rev. 5-93)		101317265 (Patents Only)		Sheet	U.S. 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):  David Fitzgerald, Vijay K. Chaudhary, Ira H. Pastan and Thomas A. Waldman  Additional name(s) of conveying parties attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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  Additional names and addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other:  Execution Date: 9/12/91					
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:  A. Patent Application No(s) 08/461,825 B. Patent No(s):  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed:  Name: Laurence J. Hyman TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, 8 <sup>th</sup> Floor San Francisco, California 94111-3834 (415) 576-0200		6. Total number of applications and patents involved 1  7. Total fee (37 CFR 3.41): -----\$40.00  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge Fees to Deposit Account  <input checked="" type="checkbox"/> 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.  <i>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.</i>  Laurence J. Hyman Name of Person Signing  Atty Reg. No. 35,551   Signature  2/29/00 Date  Total number of pages including cover sheet, attachments and document 4					
10. Change Correspondence Address to that of Part 5? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
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04/11/2000 TTDW11 00000143 201430 08461825

01 FC:581 40.00 CH

**PATENT**  
**REEL: 011149 FRAME: 0595**

# ASSIGNMENT

WHEREAS, we, David Fitzgerald, Vijay K. Chaudhary, Ira H. Pastan and Thomas A. Waldman, employees of the Department of Health and Human Services, have invented RECOMBINANT ANTIBODY-TOXIN FUSION PROTEIN for which we have made application for Letters Patent of the United States Serial No. 07/341,361 Filed April 21, 1989; and

WHEREAS, we, along with Cary L. Queen, are the applicants named in the above-identified application for Letters Patent; and

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

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

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign and transfer to the United States of America, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to the said invention in the U.S. and within each and every foreign country in which the Government elects to file and the entire right, title, and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the U.S. and foreign countries, and such Letters Patent as may be granted to be held by the Government to the end of the term for which the same would have been held by us had this assignment not been made.

We further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and further agree to assist the Government in every way in protecting said invention as may be requested, provided that any expense arising through extending such assistance will be paid by the Government.

We, the undersigned, have the right to grant the foregoing assignment.

IN TESTIMONY WHEREOF, we affix our hand and seal.

10/25/91  
Date David Fitzgerald  
David Fitzgerald  
State of Maryland  
County of Montgomery ss:

I HEREBY CERTIFY that from this 25th day of October, 1991, before me, the subscriber, Notary Public of said State and County aforesaid, personally appeared, David Fitzgerald, whose name is subscribed to the Assignment, and acknowledged under due form of law, that he executed the same for the purposes stated therein.

Seal

Roosevelt Ingram  
Notary Public  
ROOSEVELT INGRAM  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires April 1, 1993

My commission expires:

10-23-91

Date

V. K. Chaudhary

Vijay K. Chaudhary

State of Maryland

ss:

County of Montgomery

I HEREBY CERTIFY that from this 23rd day of October, 1991, before me, the subscriber, Notary Public of said State and County aforesaid, personally appeared, Vijay K. Chaudhary, whose name is subscribed to the Assignment, and acknowledged under due form of law, that he executed the same for the purposes stated therein.

Seal

Roosevelt Ingram  
Notary Public  
ROOSEVELT INGRAM  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires April 1, 1993

My commission expires:

10-23-91

Date

Ira H. Pastan

Ira H. Pastan

State of Maryland

ss:

County of Montgomery

I HEREBY CERTIFY that from this 23rd day of October, 1991, before me, the subscriber, Notary Public of said State and County aforesaid, personally appeared, Ira H. Pastan, whose name is subscribed to the Assignment, and acknowledged under due form of law, that he executed the same for the purposes stated therein.

Seal

Roosevelt Ingram  
Notary Public  
ROOSEVELT INGRAM  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires April 1, 1993

My commission expires:

Sept 26 1991

Date

Thomas A. Waldman  
Thomas A. Waldman

State of Md Maryland

ss: 244-248180

County of ESD

Montgomery

I HEREBY CERTIFY that from this 26<sup>th</sup> day of September, 1991, before me, the subscriber, Notary Public of said State and County aforesaid, personally appeared, Thomas A. Waldman, whose name is subscribed to the Assignment, and acknowledged under due form of law, that he executed the same for the purposes stated therein.

Seal

Betty T. Schwerung  
Notary Public

My commission expires: Oct 1, 1994