

12-20-2000

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U.S. Department of Commerce
Patent and Trademark Office
PATENTRECORDATION FORM COVER SHEET
PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

12-6-00

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID#
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other

U.S. Government

(For Use ONLY by U.S. Government Agencies)

☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1) Keith, Tim

Execution Date
Month Day Year
11 08 2000

Name (line 2)

Second Party

Name (line 1) Little, Randall

Execution Date
Month Day Year
11 08 2000

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Genome Therapeutics Corporation

Name (line 2)

Address (line 1) 100 Beaver Street

Address (line 2)

Address (line 3) Waltham

MA

02453

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

12/20/2000 00000108 501040 09010757

FOR OFFICE USE ONLY

01 FO:581 40.00 CH

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

PATENT
REEL: 011340 FRAME: 0779

FORM PTO-1619B
Expires 06/30/99
OMB 0651-0027

Page 2

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Correspondent Name and AddressArea Code and Telephone Number **781-398-2508**Name **Nina L. Pearlmutter, Esq.**Address (line 1) **Genome Therapeutics Corporation**Address (line 2) **100 Beaver Street**Address (line 3) **Waltham, MA 02453**

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

12**Application Number(s) or Patent Number(s)**☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)**09/548,797****Patent Number(s)**If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved.

1**Fee Amount**Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:

Enclosed ☐Deposit Account ☒

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

50-1040

Authorization to charge additional fees:

Yes ☒No ☐**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. Charges to deposit account are authorized, as indicated herein.

Robert L. Spadaro
Name of Person Signing

Signature

Date

12/5/00

FORM PTO-1619C
Expires 06/30/99
OMB 0651-0027

RECORDATION FORM COVER SHEET CONTINUATION PATENTS ONLY

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) **VanEerdewegh, Paul**

Execution Date
Month Day Year

11 08 2000

Name (line 2)

Execution Date
Month Day Year

11 08 2000

Name (line 1) **Dupuis, Josee**

Name (line 2)

Execution Date
Month Day Year

11 08 2000

Name (line 1) **Del Mastro, Richard**

Name (line 2)

Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

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Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

FORM PTO-1619C
Expires 06/30/99
OMB 0651-0027

RECORDATION FORM COVER SHEET CONTINUATION PATENTS ONLY

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) Simon, Jason

Execution Date
Month Day Year
10 26 2000

Name (line 2)

Name (line 1) Allen, Kristina

Execution Date
Month Day Year
11 08 2000

Name (line 2)

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

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Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Name (line 1)

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Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

JointASSIGNMENT

WHEREAS, we, Tim Keith, Randall Little, Paul VanEerdewegh, Josee Dupuis, Richard Del Mastro, Jason Simon, Sunil Pandit and Kristina Allen, have invented a certain improvement in NOVEL HUMAN GENES RELATING TO RESPIRATORY DISEASES AND OBESITY described in an application for Letters Patent of the United States, the specification of which:

☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;

☒ was filed on April 13, 2000 as Application No. 09/548,797 ;

☐ was patented under U.S. Patent No. _____ on _____.

WHEREAS, Genome Therapeutics Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts, and having a usual place of business at 100 Beaver Street, Waltham, Massachusetts 02453 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including

the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor: Tim Keith
Tim Keith

State/Commonwealth
of Massachusetts
County of Middlesex

Then personally appeared before me the above-named Randall Little and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____
8th day of November, 2000.

(SEAL) _____ Notary Public
Carol M. Speed (print name)
My Commission expires 01/12/03

Inventor: Randall Little
Randall Little

~~State~~/Commonwealth
of Massachusetts
County of Middlesex

Then personally appeared before me the above-named Randall Little and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____
8th day of November, 2001.

(SEAL) _____ Notary Public
Carol M Sasso (print name)
My Commission expires 6/12/03

Inventor: Paul VanEerdewegh
Paul VanEerdewegh

~~State~~/Commonwealth
of Massachusetts
County of Middlesex

Then personally appeared before me the above-named Paul VanEerdewegh and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____
8th day of November, 2001.

(SEAL) _____ Notary Public
Carol M Sasso (print name)
My Commission expires 6/12/03

Inventor:

Josee Dupuis
Josee Dupuis

~~State~~/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named Josee Dupuis and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 8th day of November, 2000.

Notary Public

(SEAL)

Carol M SASSO (print name)

My Commission expires 6/12/03

Inventor:

Richard Del Mastro
Richard Del Mastro

~~State~~/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named Richard Del Mastro and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 8th day of November, 2000

Notary Public

(SEAL)

Carol M SASSO (print name)

My Commission expires ___ / ___ / ___

Inventor: _____

Jason Simon

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named Jason Simon and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20__.

Notary Public

(SEAL)

_____ (print name)

My Commission expires ___ / ___ / ___

Inventor: _____

Sunil Pandit

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named Sunil Pandit and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20__.

Notary Public

(SEAL)

_____ (print name)

My Commission expires ___ / ___ / ___

Inventor: Kristina Allen

Kristina Allen

~~State~~/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named Kristina Allen and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 8th day of November, 2000.

Notary Public

(SEAL)

Carol M Sasso (print name)

My Commission expires 06/12/03

JointASSIGNMENT

WHEREAS, we, Tim Keith, Randall Little, Paul VanEerdewegh, Josee Dupuis, Richard Del Mastro, Jason Simon, Sunil Pandit and Kristina Allen, have invented a certain improvement in NOVEL HUMAN GENES RELATING TO RESPIRATORY DISEASES AND OBESITY described in an application for Letters Patent of the United States, the specification of which:

☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;

☒ was filed on April 13, 2000 as Application No. 09/548,797;

☐ was patented under U.S. Patent No. _____ on _____.

WHEREAS, Genome Therapeutics Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts, and having a usual place of business at 100 Beaver Street, Waltham, Massachusetts 02453 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including

the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor: _____
Tim Keith

State/Commonwealth
of _____
County of _____

Then personally appeared before me the above-named Randall Little and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20__.

(SEAL) _____ Notary Public
_____(print name)
My Commission expires __ / __ / __

Inventor: _____
Randall Little

State/Commonwealth
of _____
County of _____

Then personally appeared before me the above-named Randall Little and acknowledged
that he/she executed the foregoing instrument as his/her free act and deed this _____
_____ day of _____, 20 ____.

(SEAL) _____ Notary Public

(print name)
My Commission expires ____ / ____ / ____

Inventor: _____
Paul VanEerdewegh

State/Commonwealth
of _____
County of _____

Then personally appeared before me the above-named Paul VanEerdewegh and
acknowledged that he/she executed the foregoing instrument as his/her free act and deed this
_____ day of _____, 20 ____.

(SEAL) _____ Notary Public

(print name)
My Commission expires ____ / ____ / ____

Inventor: _____
Josee Dupuis

State/Commonwealth
of _____
County of _____

Then personally appeared before me the above-named Josee Dupuis and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20__.

(SEAL) _____ Notary Public

(print name)
My Commission expires __ / __ / __

Inventor: _____
Richard Del Mastro

State/Commonwealth
of _____
County of _____

Then personally appeared before me the above-named Richard Del Mastro and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20__.

(SEAL) _____ Notary Public

(print name)
My Commission expires __ / __ / __

Inventor: _____

Jason Simon

State/Commonwealth

of New Jersey

County of Union

Then personally appeared before me the above-named Jason Simon and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____
26 day of October, 2006.

Notary Public

(SEAL)

PATRICIA CITARELLA (print name)

My Commission expires 01 / 11 / 2004

Inventor: _____

Sunil Pandit

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named Sunil Pandit and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____
_____ day of _____, 20____.

Notary Public

(SEAL)

_____ (print name)

My Commission expires ____ / ____ / ____

Inventor: _____

Kristina Allen

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named Kristina Allen and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20__.

Notary Public

(SEAL)

_____ (print name)

My Commission expires __ / __ / __

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**40.00**

Complete if Known

Application Number **09/548,797**
Filing Date **April 13, 2000**
First Named Inventor **Tim Keith**
Examiner Name
Group Art Unit
Attorney Docket No. **HUM00-03**

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-1040**
Deposit Account Name

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	\$40.00
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)**40.00**

SUBMITTED BY

Name (Print/Type) **Robert L. Spadafora**
Signature

Registration No. **46,197**
(Attorney/Agent)

Complete (if applicable)

Telephone **781-398-2548**
Date **12/05/00**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECORDED: 12/06/2000

PATENT
REEL: 011340 FRAME: 0795