MRD 12.700

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Patent and Trademark Office

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1. Name of conveying party(ies): CIBA VISION A.G.	2. Name and address of receiving party(ies)
Additional name(s) of conveying party(ies) attached? [ ] Yes [ X] No	Name: Novartis A.G. Address: Schwarzwaldallee 215, 4058 Basel,
3. Nature of conveyance:	Switzerland
[ X] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name	City: Country: Postal Code: Additional name(s) and address(es) attached? [] Yes
[] Other	
Execution Date: September 14, 2000	
4. Application number(s) or patent number(s)	
If this document is being filed together with a new application, the ex-	ecution date of the application is
A. Patent Application No.(s) 09/063,624 filed April 20, 1998	B. Patent No.(s) 5,972,326 issued October 26, 1999 5,965,152 issued October 12, 1999 5,766,580 issued June 16, 1998
Additional numbers attached?	[X] Yes [] No
5. Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and patents involved: 10
Name: Anthony Giaccio, Esq.	7. Total fee (37 CFR 3.41): \$\frac{320.00}{200.00}\$
BAKER BOTTS LLP	[ ] Enclosed [X] Authorized to be charged to deposit account
Address: 30 Rockefeller Plaza, 44th Floor	8. Deposit account number: 02-4377
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Name of Person Signing USPTO Reg. No. 39,684	Signature Date
Total number of pages including cover sheet, attachments and docum	ent: 16
12/29/2000 DNGUYEN 00000349 024377 09063624 D1 FC:581 320.00 CH	

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	PATENTS ONLY	Patent and Trademark Office
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.		
10. Name of conveying party(ies):		
A. Patent Application No.(s)	B. Patent Registration No.(s)  5,759,532 issued June 2, 1998 5,612,027 issued March 18, 1997 5,944,753 issued August 31, 1999 5,652,014 issued July 29, 1997	
		Page 2 of 2
OMB No. 0651-0011 (exp. 4/94)		
Mail documents to be recorded with required	Do not detach this portion d cover sheet information to:	
	Commissioner of Patents and Trademarks Box Assignments Washington, DC 20231	
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#### **SCHEDULE A**

#### **Controlled Release Patent Rights**

Controlled Release of Pharmaceuticals in the Anterior Chamber of the Eye

# Issued U.S. Patent Numbers:

5,972,326

Pending Foreign Patent Application Numbers:

Australia

64716/98

Brazil

PI9808282-5

Canada

2282427

China

98804137.5

(possible to extend to Hong Kong)

Czech Republic

PV3264-99

Eurasia

199900811 (all designated states)

**EPC** 

98910483.1 (all designated states)

Hungary

Indonesia

W991049

Israel

131955

Japan

10540762

Korea, South

7008448/99

Mexico

998634

Norway

19994485

New Zealand

337654

Poland

P-335801

Singapore

9904561-9

Turkey

1999/02253

NY02:280034.1

### Controlled Release of Miotic and Mydriatic Drugs in the Anterior Chamber

#### Issued U.S. Patent Numbers:

5,965,152

5,766,580

5,759,532

5,612,027

#### **Issued Foreign Patent Numbers:**

Australia

707013

**EPC** 

96912887.5 (granted) (provisional protection also secured)

(designating all states)

Eurasia

EA970286 (granted) (designating all states)

New Zealand

306875

#### Pending Foreign Patent Application Numbers:

Brazil

PI9608441.3

Canada

2216417

China

96193352.6 (published as CN1181703A)

Czech Republic

PV326497

Hungary

P9802665

Japan

08-531917

Korea, South

97-707360

Mexico

9708043

New Zealand

335865 (divisional)

Norway

974808

Poland

P-322820

Singapore

9706306-9

Turkey

97/01192

NY02:280034.1 -2-

### Medicament Coated Refractive Anterior Chamber Ocular Implant

#### Issued U.S. Patent Numbers:

5,944,753

5,652,014

# Pending U.S. Patent Application Numbers:

09/063,624 (allowed)

### **Issued Foreign Patent Numbers:**

Argentina

252681

Australia

664858

EPC

601055 (proceeding to grant in all designated states)

Mexico

186031

## Pending Foreign Patent Application Numbers:

Belarus

1541

Brazil

P19206365-9 (published)

Canada

2115651

Japan

NY02:280034.1

5 (1993) 504447 (published as 6 (1994) (509731))

Singapore

9603913-6

-3-

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# **Refractive Implant Patent Rights**

Positive Power Anterior Chamber Ocular Implant

Pending U.S. Patent Application Numbers:

09/282,476 (allowed)

09/576,094 (pending)

Pending Foreign Application Numbers:

PCT/US00/07922 (pending)

-4-

NY02:280034.1

#### <u>ASSIGNMENT</u>

WHEREAS, CIBA VISION A.G., a Swiss corporation with offices at Grenzstrasse 10, Buelach, Switzerland (herein referred to as "C.V.") is presently the owner of all right, title and interest in and to the inventions herein identified, and is desirous of assigning and transferring over the entire right, title and interest in and to the inventions, Letters Patent and applications for Letters Patent described as follows: "CONTROLLED RELEASE OF PHARMACEUTICALS IN THE ANTERIOR CHAMBER OF THE EYE" as set forth and described in Letters Patent of the United States, Patent No. 5,972,326, issued on October 26, 1999; and "CONTROLLED RELEASE OF MIOTIC AND MYDRIATIC DRUGS IN THE ANTERIOR CHAMBER" as set forth and described in Letters Patent of the United States, Patent Nos. 5,965,152, 5,766,580, 5,759,532 and 5,612,027, issued on October 12, 1999, June 16, 1998, June 2, 1998, and March 18, 1997, respectively; and "MEDICAMENT COATED REFRACTIVE ANTERIOR CHAMBER OCULAR IMPLANT" as set forth and described in Letters Patent of the United States, Patent Nos. 5,944,753 and 5,652,014 issued on August 31, 1999 and July 29, 1997, respectively, and as set forth and described in application for Letters Patent of the United States, Serial No. 09/063,624, filed April 20, 1998; and "POSITIVE POWER ANTERIOR CHAMBER OCULAR" IMPLANT" as set forth and described in applications for Letters Patent of the United States, Serial Nos. 09/282,476 and 09/576,094, filed on March 31, 1999 and May 22, 2000, respectively; and

WHEREAS, NOVARTIS A.G., a Swiss corporation with offices at Schwarzwaldallee 215, 4058 Basel, Switzerland (herein referred to as "NOVARTIS") is

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desirous of acquiring the entire right, title and interest in and to the said inventions, and in and to said Letters Patent and any reissues thereof, and in and to the said applications for Letters Patent, and in and to any Letters Patent which may be obtained therefor and any reissues thereof; and in and to any and all corresponding foreign Letters Patent listed in the attached Schedule A, and in and to any and all corresponding foreign applications for Letters Patent listed in the attached Schedule A, and in and to any and all corresponding foreign Letters Patent which may be obtained therefor; and

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that WE, the said C.V., for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to us in hand paid by said NOVARTIS, and other valuable consideration unto us moving from said NOVARTIS at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said NOVARTIS, its successors and assigns, the entire right, title and interest in and to the said inventions entitled "CONTROLLED RELEASE OF PHARMACEUTICALS IN THE ANTERIOR CHAMBER OF THE EYE" as set forth and described in Letters Patent of the United States, Patent No. 5,972,326, issued on October 26, 1999, and "CONTROLLED RELEASE OF MIOTIC AND MYDRIATIC DRUGS IN THE ANTERIOR CHAMBER" as set forth and described in Letters Patent of the United States, Patent Nos. 5,965,152, 5,766,580, 5,759,532 and 5,612,027, issued on October 12, 1999, June 16, 1998, June 2, 1998, and March 18, 1997, respectively, and "MEDICAMENT COATED REFRACTIVE ANTERIOR CHAMBER OCULAR

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IMPLANT" as set forth and described in Letters Patent of the United States, Patent Nos. 5,944,753 and 5,652,014 issued on August 31, 1999 and July 29, 1997, respectively, and as set forth and described in application for Letters Patent of the United States, Serial No. 09/063,624, filed April 20, 1998, and "POSITIVE POWER ANTERIOR CHAMBER OCULAR IMPLANT" as set forth and described in applications for Letters Patent of the United States, Serial Nos. 09/282,476 and 09/576,094, filed on March 31, 1999 and May 22, 2000, respectively, and in and to the said Letters Patent and any reissues thereof, and in and to the said applications for Letters Patent, and in and to any continuations, continuations-in-part, divisions, reexaminations, and extensions thereof, and in and to any Letters Patent which may be issued on any of said applications and any reissues thereof, and in and to any and all corresponding Letters Patent in foreign countries listed in the attached Schedule A, corresponding applications for Letters Patent in foreign countries listed in the attached Schedule A, and corresponding Letters Patents issued therefor in said foreign countries for said inventions including the Letters Patent in foreign countries and applications for Letters Patent in foreign countries listed in the attached Schedule A, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

AND WE, the said C.V., do hereby authorize and request the Commissioner of Patents and Trademarks to issue the any said Letters Patent of the United States to said NOVARTIS, as the assignee of the entire right, title and interest in and to the same, for the sole use and benefit of said NOVARTIS, its successors and assigns;

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AND WE, the said C.V., for the considerations aforesaid, do hereby covenant and agree to and with said NOVARTIS, its successors and assigns, that we, our successors and assigns, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said NOVARTIS, its successors and assigns, may be required or necessary more effectively to secure to and vest in said NOVARTIS, its successors and assigns, the entire right, title and interest in and to said inventions, applications, Letters Patent, rights, titles, benefits, privileges, and advantages hereby sold, assigned, transferred and conveyed, and that we will sign any applications for reissue which may be desired by the owner of the patent or patents which may be issued for the said inventions.

IN WITNESS WHEREOF, the said C.V., hereto causes its name to be affixed by its duly authorized representatives, the undersigned, who are each empowered to act on behalf of C.V. on the date written.

The undersigned, whose titles are supplied below, declare that they are each empowered to act on behalf of said C.V. and further declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that

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such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

IN WITNESS WHEREOF, the said undersigned, Dr. Georg von Sprecher. Patent Specialist, has hereunto set my hand and seal on behalf of said CIBA VISION A.G. in Buelach \_\_\_\_ this 14thday of \_\_September\_, 2000. Dr. Georg von Sprecher Patent Specialist CIBA VISION, A.G. First Witness Name: Waltraud Vögele Signature: W. Vogel (Print)
Second Witness
Name: Werner Dietiker Signature: Date: Sept. 14, 2000 IN WITNESS WHEREOF, the said undersigned, Dr. Anneliese Hassenbürger, Patent Specialist, has hereunto set my hand and seal on behalf of said \_this\_14thday of September , 2000. CIBA VISION A.G. in Buelach Patent Specialist CIBA VISION A.G.

First Witness Name: Christoph Thomme Signature:

(Print)

Second Witness

Name. Hans-Rudolf Haus Signature: (Print)

RECORDED: 12/07/2000

(Sign)

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