

02-02-2001

FORM PTO-1595
1-31-92**1 COVER SHEET
ONLY**U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No. 257/041

101605888

1-76-01

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

1. Name of conveying party(ies): Scott J. Hecker; Aesop Cho; Tomasz W. Glinka; Trevor Calkins; Ving J. Lee Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party: Name: Microcide Pharmaceuticals, Inc. Internal Address: _____ City: _____ State: _____ Zip: _____ Street Address: 850 Maude Avenue City: Mountain View State: CA Zip: 94043	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement <input type="checkbox"/> Other _____ Execution Date: _____		<input type="checkbox"/> Merger <input type="checkbox"/> Change of Name Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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): 09/668,722 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: Bernard F. Rose, Esq. Internal Address: LYON & LYON LLP 633 West Fifth Street, Suite 4700 Los Angeles, CA 90071-2066		6. Total number of applications and patents involved: 7. Total fee (37 CFR 3.41): \$ 40.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: 12-2475	

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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.

Date: 1/24/01

Bernard F. Rose, Reg No. 42,112

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Total number of pages including cover sheet: 7

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

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Director — U.S. Patent and Trademark Office**Box Assignments****Washington, D.C. 20231**

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**PATENT
REEL: 011476 FRAME: 0034**

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, SCOTT J. HECKER, a citizen of UNITED STATES OF AMERICA, AESOP CHO, a citizen of UNITED STATES OF AMERICA, TOMASZ W. GLINKA, a citizen of Poland, TREVOR CALKINS, a citizen of UNITED STATES OF AMERICA and VING J. LEE, a citizen of UNITED STATES OF AMERICA (hereinafter referred to as "ASSIGNORS"), have invented a 7-ACYLAMINO-3-HETEROARYLTHIO-3-CEPHEM CARBOXYLIC ACID ANTIBIOTICS AND PRODRUGS THEREOF for which application for Letters Patent of the United States of America was filed on September 21, 2000 and assigned Serial No. 09/668,722; and

WHEREAS, **MICROCIDE PHARMACEUTICALS, INC.**, a corporation organized and existing under and by virtue of the laws of the State of **California** and having its place of business at **850 Maude Avenue, Mountain View, California 94043** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto, to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and

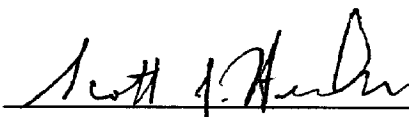
ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

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;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Mountain View,

California, this 7th day of December, 2000.

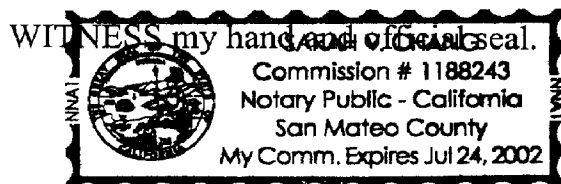


Scott J. Hecker

STATE OF CALIFORNIA)
) ss
COUNTY OF Santa Clara)

On Dec 7, 2000 before me, Sarah Chang, personally appeared
Scott J. Hecker

☐ 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.



[Signature]
Notary Public in and for said County and State

WITNESS my hand at Mountain View,
California, this 7th day of December, 2000.

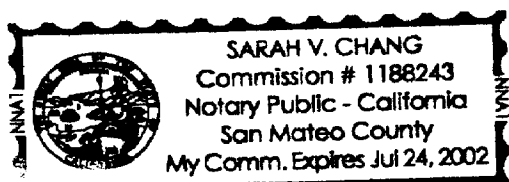
Aesop Cho
Aesop Cho

STATE OF CALIFORNIA)
) ss
COUNTY OF Santa Clara)

On Dec 7, 2000 before me, Sarah Chang, personally appeared
Aesop Cho

☐ 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.



[Signature]
Notary Public in and for said County and State

WITNESS my hand at Mountain View,

California, this 7th day of December, 2000.

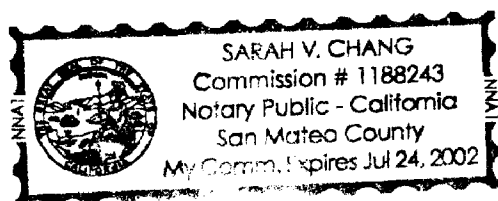

Tomasz W. Glinka

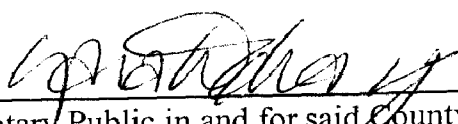
STATE OF CALIFORNIA)
) ss
COUNTY OF Santa Clara)

On Dec 7, 2000 before me, Sarah Chang, personally appeared
Tomasz W. Glinka

☐ 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.

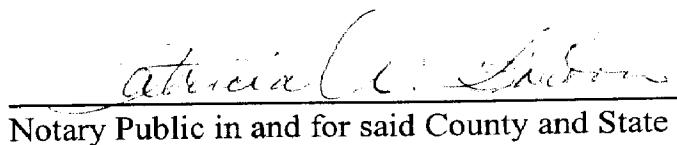



Notary Public in and for said County and State

Trevor Calkins, 2000.

On 12/11/00 before me, PATRICIA A. BARTON, personally appeared
Trevor Calkins

WITNESS my hand and official seal.



WITNESS my hand at Mountain View,

California, this 7th day of December, 2000.

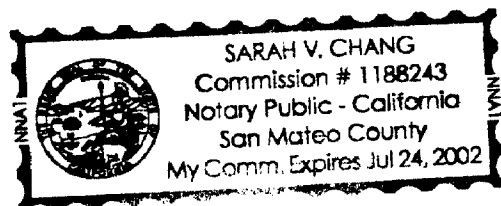
Ving J. Lee
Ving J. Lee

STATE OF CALIFORNIA)
) ss
COUNTY OF Santa Clara)

On Dec 7, 2000 before me, Sarah Chang, personally appeared
Ving J. Lee

☐ 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.



Sarah Chang
Notary Public in and for said County and State