

11-26-2001

FORM PTO-1595
1-31-92

RE



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No.

101900983

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

1. Name of conveying party(ies):
MICROCIDE PHARMACEUTICALS, INC. *11-19-01*
Additional name(s) of conveying party(ies) attached?
☐ Yes ☒ No

2. Name and address of receiving party:
Name: ESSENTIAL THERAPEUTICS, INC.

Internal Address: _____

City: _____ State: _____ Zip: _____

Street Address: 850 Maude AvenueCity: Mountain View State: CA Zip: 94043Additional name(s) & address(es) attached? ☐ Yes ☐ No

3. Nature of conveyance:
☐ Assignment ☐ Merger
☐ Security Agreement ☒ Change of Name

☐ Other _____Execution Date: October 24, 2001

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): See Attached ListB. Patent No(s): See Attached ListAdditional numbers attached? ☒ Yes ☐ 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: 52

7. Total fee (37 CFR 3.41): \$ 2,080.00

☒ Enclosed☒ Charge this Deposit Account if any additional fee is required8. 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.

Bernard F. Rose
Bernard F. Rose, Reg No. 42,112

Date: 11/17/01Total number of pages including cover sheet: 6

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

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PATENT
REEL: 012273 FRAME: 0625

ATTACHMENT

Docket #	Inventor	Serial Number Filing Date	Patent Number Issue Date	Title
209/078	Boggs, et al.	08/388,109 2/8/95	5,883,0874 3/16/99	Potentiators Of Antibacterial Agents
210/083	Trias, et al.	08/427,088 4/21/95	5,989,832 11/23/99	Efflux Pump Inhibitors
211/263	Hecker, et al.	08/413,713 3/29/95	5,756,493 5/26/98	Cephalosporin Antibiotics
211/264	Hecker, et al.	08/413,714 3/29/95	5,607,926 3/4/97	Cephalosporin Antibiotics
211/267	Hecker, et al.	08/413,712 3/29/95	5,604,218 2/18/97	Cephalosporin Antibiotics
211/268	Hecker, et al.	08/415,064 3/29/95	5,789,584 8/4/98	Cephalosporin Antibiotics
213/012	Hecker, et al.	08/455,969 5/31/95	5,698,547 12/16/97	Cephalosporin Antibiotics
213/013	Hecker, et al.	08/457,673 6/1/95	5,688,786 11/18/97	Cephalosporin Antibiotics
214/260	Fronko, R. et al.	09/188,057 11/6/98	6,228,842 5/8/01	New Pacidamycins Produced By Streptomyces Coeruleorubidus
218/053	Boggs, et al.	08/589,257 1/23/96		Screening For Modulators of Biomolecules
219/158	Bao, et al.	08/672,215 6/25/96	6,020,121 2/1/00	Inhibitors Of Regulatory Pathways
222/005	Boggs, et al.	08/714,918 9/13/96	6,037,123 3/14/00	Staphylococcus Aureus Antibacterial Target Genes
222/093	Boggs, et al.	08/713,718 9/13/96		Staphylococcus Aureus Antibacterial Target Genes
222/229	Cho, et al.	08/730,039 10/11/96		Cephalosporin Antibiotics
222/230	Cho, et al.	08/728,232 10/11/96	6,066,630 5/23/00	Cephalosporin Antibiotics
222/231	Cho, et. al.	08/730,042 10/11/96	6,087,355 7/11/00	Cephalosporin Antibiotics
222/232	Cho, et al.	08/728,233 10/11/96	6,057,312 5/2/00	Cephalosporin Antibiotics
222/233	Cho, et al.	08/730,040 10/11/96	5,859,256 1/12/99	Cephalosporin Antibiotics
223/171	Benton, et al.	08/770,246 12/20/96	5,962,249 10/5/99	Size-Based Marker Identification Technology

225/190	Natsoulis, George	08/876,691 6/16/97	6,303,115 10/16/01	Screening Methods Using Microbial Strain Pools
226/083	Chamberland, et al.	09/012,363 1/23/98	6,114,310 9/5/00	Efflux Pump Inhibitors
228/171	Cho, et al.	08/937,812 9/29/97	6,025,352 2/15/00	Cephalosporin Antibiotics
232/036	Chamberland, et al.	09/020,001 2/4/98	6,245,746 6/12/01	Efflux Pump Inhibitors
234/028	Leger, et al.	09/089,734 6/3/98	6,204,279 3/20/01	Peptidomimetic Efflux Pump Inhibitors
234/044	Boggs, et al.	09/059,802 4/14/98		Screening For Modulators of Biomolecules
234/067	Benton, et al.	09/082,077 5/20/98		Staphylococcus Aureus Antibacterial Target Genes
234/117	Bostian, et al.	09/073,073 5/4/98		Methods For Evaluation of Antimicrobial Targets
235/177	Chamberland, et al.	09/108,906 7/1/98		Efflux Pump Inhibitors
237/126	Chamberland, et al.	09/164,609 10/1/98		Fungal Efflux Pump Inhibitors
240/247	Benton, et al.	09/265,315 3/9/99	6,187,541 2/13/01	Staphylococcus Aureus Antibacterial Target Genes
240/248	Benton, et al.	09/266,417 3/9/99	6,228,588 5/8/01	Staphylococcus Aureus Antibacterial Target Genes
240/293	Benton, et al.	09/265,935 3/9/99		Staphylococcus Aureus Antibacterial Target Genes
243/223	Boojarma, et al.	09/330,503 6/11/99		Uridyl Peptide Antibiotic (UPA) Derivatives, Their Synthesis And Use
247/112	Nakane, Paul K.	60/236,901 9/28/00		Rapid Antibiotic Susceptibility Tests
252/032	Benton, et al.	09/528,204 3/17/00		Staphylococcus Aureus Antibacterial Target Genes
252/033	Benton, et al.	09/528,709 3/17/00		Staphylococcus Aureus Antibacterial Target Genes
252/034	Benton, et al.	09/527,745 3/17/00		Staphylococcus Aureus Antibacterial Target Genes
252/157	Lee, et al.	09/672,570 9/27/00		Efflux Pump Inhibitors Produced By a Novel Strain Of Streptomyces SP
253/293	Benton, et al.	09/630,630 8/1/00		Staphylococcus Aureus Antibacterial Target Genes
255/192	Chamberland, et al.	09/613,302 7/10/00		Efflux Pump Inhibitors
255/260	Glinka, Tomasz W.	60/229,174 8/29/00		Cephalosporin Antibiotics And Prodrugs Thereof

257/041	Hecker, et al.	09/668,722 9/21/00		7-ACYLAMINO-3-HETEROARYLTHIO-3-CEPHEM CARBOXYLIC ACID ANTIBIOTICS AND PRODRUGS THEREOF
258/057	Hecker, et al.	09/906,843 7/16/01		Improved Beta-Lactam Antibiotics And Products Thereof
259/082	Leger, et al.	09/724,818 11/28/00		Peptidomimetic Efflux Pump Inhibitors
260/283	Watkins, Will	60/286,052 4/23/01		RND Efflux Pump Inhibitors For Non-Systemic Use
261/043	Bond, et al.	09/785,940 2/15/01		Inhibition Of RECA Protein Function As A Means Of Reducing The Frequency Of Rifampicin Resistance In Bacteria
261/156	Watkins, Will	09/906,864 7/16/01		Fungal Efflux Pump Inhibitors
262/095	Lee, May D.	09/949,230 9/7/01		New Antibiotics From Microbispora
264/219	Benton, Bret	60/292,841 5/21/01		Staphylococcus Aureus In Vivo Survival Genes
265/094	Bostian, et al.	09/877,638 6/8/01		Methods For Evaluation of Antimicrobial Targets
266/106	Nakane, Paul K.	09/920,785 8/1/01		Rapid Antibiotic Susceptibility Tests
266/206	Glinka, Tomasz W.	09/925,217 8/8/01		Cephalosporin Antibiotics And Prodrugs Thereof

State of Delaware
Office of the Secretary of State

PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "MICROCIDE PHARMACEUTICALS, INC.", CHANGING ITS NAME FROM "MICROCIDE PHARMACEUTICALS, INC." TO "ESSENTIAL THERAPEUTICS, INC.", FILED IN THIS OFFICE ON THE TWENTY-FOURTH DAY OF OCTOBER, A.D. 2001, AT 1:05 O'CLOCK P.M.

1134



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 1408100

DATE: 10-24-01

PATENT

REEL: 012273 FRAME: 0629

**CERTIFICATE OF AMENDMENT TO
RESTATED CERTIFICATE OF INCORPORATION
OF
MICROCIDE PHARMACEUTICALS, INC.**

a Delaware Corporation

Pursuant to § 242 of the General Corporation Law
of the State of Delaware

Microcide Pharmaceuticals, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware (the "Corporation") does hereby certify:

1. The name of the Corporation is Microcide Pharmaceuticals, Inc. and was originally incorporated under the same name, and the original Certificate of Incorporation was filed with the Secretary of State of the State of Delaware on February 29, 1996.
2. The following amendment to the Restated Certificate of Incorporation of the corporation has been duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware:

Article I of the Restated Certificate of Incorporation is hereby amended to read in its entirety as follows:

"ARTICLE I

The name of this corporation is Essential Therapeutics, Inc."

3. The capital of the corporation will not be reduced under or by reason of the foregoing amendment.

IN WITNESS WHEREOF, Microcide Pharmaceuticals, Inc. has caused this Certificate to be executed by its duly authorized officer this 24th day of October, 2001.

MICROCIDE PHARMACEUTICALS, INC.

By: /s/ James E. Kurka
Name: James E. Kurka
Title: President and Chief Executive Officer