

FORM PTO-1595  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

# RECORDATION FORM COVER SHEET PATENTS ONLY




**Docket No. NV-1933**

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

<p>1. Name of conveying party(ies):</p> <p>MILAN BLAKE JOHN A. BOGDAN, JR. JAVIER NAZARIO-LARRIEU</p> <p>Additional Name(s) of conveying party(ies) attached? yes <input type="checkbox"/> no <input checked="" type="checkbox"/></p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: Baxter International Inc.</p> <p>Internal Address: One Baxter Parkway Deerfield, IL 60015, USA</p>
<p>3. Nature of Conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date(s): 09072001, 09072001 and 09132001</p>	<p>Street Address: One Baxter Parkway Deerfield, IL 60015, USA</p> <p>Additional name(s) &amp; address(es) attached? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no (see attached sheet)</p>

<p>4. Application number(s) or patent number(s):</p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p> <table border="0"> <tr> <td data-bbox="58 997 792 1102"> <p>A. Patent Application No.(s)</p> <p>09/825,770</p> </td> <td data-bbox="792 997 1471 1102"> <p>B. Patent No.(s)</p> <p>Additional numbers attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> </td> </tr> </table>		<p>A. Patent Application No.(s)</p> <p>09/825,770</p>	<p>B. Patent No.(s)</p> <p>Additional numbers attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
<p>A. Patent Application No.(s)</p> <p>09/825,770</p>	<p>B. Patent No.(s)</p> <p>Additional numbers attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>		
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: C. Joseph Faraci Internal Address: Baxter Healthcare Corporation P.O. Box 15210 Irvine, California 92623-5210</p> <p>Street Address: 17511 Armstrong Avenue Irvine, California 92614</p>	<p>6. Total number of applications and patents involved: [ 1 ]</p> <p>7. Total fee (37 CFR 3.41)..... \$40.00</p> <p><input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: 02-1437</p>		

**DO NOT USE THIS SPACE**

<p>9. Statement and signature.</p> <p><i>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.</i></p> <table border="0"> <tr> <td data-bbox="58 1690 527 1774"> <p>C. Joseph Faraci, Reg. No. 32,350 Name of Person Signing</p> </td> <td data-bbox="527 1606 1015 1774">  Signature </td> <td data-bbox="1015 1648 1471 1774"> <p>1/22/02 Date</p> </td> </tr> </table> <p>Total number of pages including cover sheet, attachments and document: [ 6 ]</p>		<p>C. Joseph Faraci, Reg. No. 32,350 Name of Person Signing</p>	 Signature	<p>1/22/02 Date</p>
<p>C. Joseph Faraci, Reg. No. 32,350 Name of Person Signing</p>	 Signature	<p>1/22/02 Date</p>		

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

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PATENT  
REEL: 012331 FRAME: 0383

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Serial No. 09/825,770  
Page 2

**RECORDATION FORM COVER SHEET**  
(Continuation sheet)

**BOX 2 -- CONTINUED**

**Additional Names and Addresses of Receiving Parties:**

**Name:** Baxter Healthcare S.A.

**Internal Address:** Hertistrasse 2  
CH-8306 Wallisellen  
Kanton Zurich, Switzerland

**Street Address:** Hertistrasse 2  
CH-8306 Wallisellen  
Kanton Zurich, Switzerland

**Mail documents to be recorded with required cover sheet information to:**  
**Commissioner of Patents & Trademarks, Box Assignments**  
**Washington, D.C. 20231**

**PATENT**  
**REEL: 012331 FRAME: 0384**

Baxter Healthcare SA  
Hertistrasse 2  
Postfach  
CH-8304 Wallisellen

Telefon +41-1-305 71 00  
Telefax +41-1-305 71 71

**Baxter**

## POWER OF ATTORNEY

The undersigned, Baxter Healthcare S.A., having its registered office at Hertistrasse 2, CH-8306 Wallisellen, Kanton Zürich, Switzerland, herewith grants power to

**Mr. Michael Schiffer**


acting individually,

to represent the company in all matters related directly or indirectly to the intellectual property management of the above company, including registrations, transfers, renewals, sale and purchase of patents, copyrights and trademarks ("intellectual property rights") in the name and on behalf of the company, and documents concerning the enforcement of such intellectual property rights, including court and administrative papers and documentation.

The representatives are also authorized to sign all documents, contracts and pieces allowing to complete the operations referred to above, including any contracts concerning the settlement of any litigation enforcing such intellectual property rights.

Wallisellen, February 21, 2001

Baxter Healthcare S.A.



Dr. Martin Lukas

**Baxter****NV-1933  
ASSIGNMENT  
(Joint Inventors)**Serial No. 09/825,770 Filed April 4, 2001

In consideration of good and valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, we hereby assign to **BAXTER INTERNATIONAL INC.**, a corporation of Delaware, having a principal place of business at Deerfield, Illinois, its successors, legal representatives and assigns, and **BAXTER HEALTHCARE S.A.**, a corporation of Switzerland, having a principal place of business at Zurich, Switzerland, its successors, legal representatives and assigns (hereinafter jointly referred to as "ASSIGNEE") the entire right, title and interest throughout the world in our invention or improvements in

### **IMPROVED METHOD FOR THE PRODUCTION OF BACTERIAL TOXINS**

and in the application for Letters Patent of the United States therefor, executed by each of us individually on or before the date(s) indicated below and any and all other United States applications and applications in any and all countries which we may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States or of any other country which may be obtained on any of the said applications, and in any reissue or extension thereof.

We hereby authorize and request the Commissioner of patents to issue said Letters Patent to said ASSIGNEE.

We hereby authorize and request the attorneys of record in said application to insert in this assignment the date and serial number of said application when officially known.

We warrant ourselves to be the owners of the interest herein assigned and to have the right to make this assignment; and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said considerations we hereby agree, upon the request and at the expense of said assignee, its successors, legal representatives and assigns, to execute any and all divisional, continuation, and renewal applications for said invention or improvements, and any necessary oath or supplemental oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application that said assignee, its successors, legal representatives and assigns may deem necessary or expedient, and for the said considerations we further agree, upon the request of said assignee, its successors, legal representatives and assigns, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof becoming involved in interference, to cooperate to the best of our ability with said assignee, its successors, legal representatives and assigns in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. We further agree to perform, upon such request, any and all

**NV-1933  
ASSIGNMENT  
Page 2 of 3**

affirmative acts to obtain Letters Patent, and vest all rights therein hereby conveyed in the said assignee, its successors, legal representatives and assigns whereby said Letters Patent will be held and enjoyed by the said assignee, its successors, legal representatives and assigns to the end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made, and for the said considerations we hereby also assign to said assignee, its successors, legal representatives and assigns the entire right, title and interest in said invention or improvements for any and all foreign countries and the right of priority for patent and utility model applications in all countries arising under any applicable international convention for the protection of industrial property and/or any internal priority legislation of such countries, and we further agree upon the request of said assignee, its successors, legal representatives and assigns to execute any and all documents that shall be required to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said assignee.

WITNESS our hand and seal.

Inventor Name: **MILAN S. BLAKE**

Date 9-7-01 Signature Milan S. Blake

State of MARYLAND

County of HOWARD

On 9/7/01 before me, LINDA WHEELER  
(Notary Public), personally appeared MILAN S. BLAKE  
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 Signature Linda M. Wheeler

(Seal)

**LINDA M. WHEELER**  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires 9/22/04

Inventor Name: **JOHN A. BOGDAN, JR.**

Date 9-7-01 Signature John A. Bogdan, Jr.

State of MARYLAND

County of HOWARD

On 9/7/01 before me, LINDA WHEELER  
(Notary Public), personally appeared JOHN A. BOGDAN, JR.  
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.

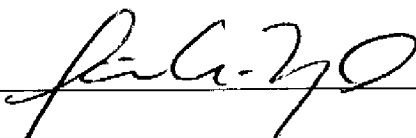
WITNESS my hand and official seal.

Notary Signature Linda M. Wheeler

(Seal)

**LINDA M. WHEELER**  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires 9/22/04

WITNESS my hand and seal

Date 13 SEP 2001 Signature 

Typed Name: JAVIER NAZARIO-LARRIEU

Witness  Date 9/13/01  
Junius Bishop