

01-03-2002

Attorney Docket No. 015280-413100US

Form PTO-1595
(Rev. 03-01)
OMB No. 0651-0027 (exp. 5/31/2002)



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

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

1. Name of conveying party(ies):
Clifton E. Barry, III
Andrea E. DeBarber
Khisimuzi Mdluli

12.31.01

Additional name(s) of conveying parties attached? Yes No.

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other: _____

Execution Date: 9/26/01, 9/22/01, 9/28/01

2. Name and address of receiving party(ies)
Name: THE GOVERNMENT OF THE UNITED STATES OF AMERICA as represented by the Secretary of the Department of Health and Human Services

Internal Address: NATIONAL INSTITUTES OF HEALTH, OFFICE OF TECHNOLOGY TRANSFER

Street Address: 6011 Executive Boulevard, Suite 325

City: Rockville State: MD ZIP: 20852-3804

Additional names and addresses attached? Yes 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): 09/888,320

B. Patent No(s): _____

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Laurence J. Hyman
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): -----\$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 20-1430

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.
To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.

Laurence J. Hyman
Name of Person Signing
Atty. Reg. No. 35,551

Signature

10/16/01
Date

Total number of pages including cover sheet, attachments and document 6

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

01/03/2002 GTDN11 00000023 201430 09888320

01 FC:581 40.00 CH

PATENT
REEL: 012403 FRAME: 0864

WHEREAS, We, **Clifton E. Barry, III**, a citizen of the United States, residing at 9520 Milstead Dr., Bethesda, Maryland 20817, and **Andrea E. DeBarber**, a citizen of the United Kingdom, residing at 10436 Rockville Pike, Rockville, Maryland, 20852, and **Khisimuzi Mdluli**, a citizen of Swaziland, residing at 323 NW 103rd Avenue, Seattle, Washington 98177, employees of the Department of Health and Human Services at the time the invention was made, have invented (title of invention): **METHODS OF DIAGNOSING MULTIDRUG RESISTANT TUBERCULOSIS**, for which an application to the Assistant Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned

on (date(s) Declaration signed): _____, 2001 is identified as U.S. Patent Application:

Serial No. 09/888,320

Filed June 22, 2001; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States of America; and

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

AND, we hereby authorize and request the Assistant Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest in and to

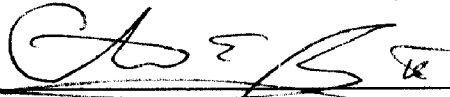
the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;

AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

The undersigned hereby grants THE GOVERNMENT or the law firm of Townsend and Townsend and Crew LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

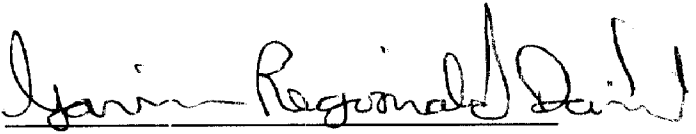

(signature of Assignors as written above)

26 Sept 2001
(dates)

STATE OF MD)
COUNTY OF MONTGOMERY)
UNITED STATES OF AMERICA

On 26TH OF SEPT. 2001, before me, GAVIN DAVID (NOTARY) (here insert name and title of the officer), personally appeared **Clifton E. Barry, III**, 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, execute the instrument.

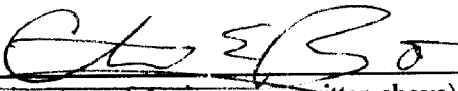
WITNESS my hand and official seal.

Signature 

GAVIN REGIONAL DAVID
Notary Public, State of Maryland
My Commission Expires Jun. 8, 2005

(Seal)

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.


(signature of Assignors as written above)

26 Sept 2001
(dates)

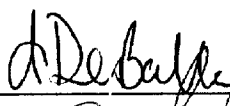
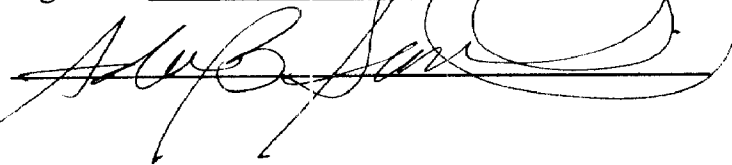
STATE OF Maryland)

COUNTY OF Montgomery)

UNITED STATES OF AMERICA

On 9/22/01, before me, ADA SANDOVAL (here insert name and title of the officer), personally appeared **Andrea E. DeBarber**, 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, execute the instrument.

WITNESS my hand and official seal.

Signature 


(Seal)

ADA B. SANDOVAL
Notary Public, State of Maryland
My Commission Expires Mar. 01, 2005

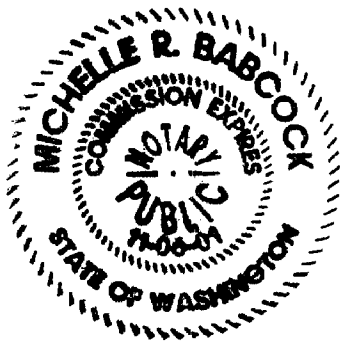
STATE OF Washington)

COUNTY OF King)

UNITED STATES OF AMERICA

On 9-28-01, before me, Michelle Babcock MB (here insert name and title of the officer), personally appeared **Khisimuzi Mdluli**, 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, execute the instrument.

WITNESS my hand and official seal.



Signature *[Handwritten Signature]*

Michelle Babcock

(Seal)

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