

02-19-2002



CUB-1

To the Commissioner of Patents and Trademarks

101985933

Documents or copy thereof.

## 1. Name of conveying party(ies):

- 1) Frederick B. Oleson, Jr.; and  
2) Francis P. Tally

2-11-02

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date(s): 1) January 29, 2002; and 2) February 1, 2002

## 2. Name and address of receiving party(ies)

Name: Cubist Pharmaceuticals, Inc.

Internal Address:

Street Address: 65 Hayden Avenue

City: Lexington State: MA ZIP: 02421

Additional name(s) & address(es) 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(s) of the application is/are:

and the attorney docket number is:

## A. Patent Application No.(s)

09/406,568 filed on September 24, 1999

## B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Fish &amp; Neave

Internal Address: James F. Haley, Jr.

Street Address: 1251 Avenue of the Americas

City: New York State: NY ZIP: 10020-1104

## 6. Total number of applications and patents involved:

1

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

☒ Enclosed☐ Authorize Director to charge to deposit account☒ Authorize Director to charge excess/credit overpayment to deposit account (duplicate copy attached)

## 8. Deposit account number:

06-1075

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

02/15/2002 AWNED1 00000112 09406568

01 FC:581

40.00 UP

DO NOT USE THIS SPACE

## 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.

Karen E. Brown

Name of Person Signing

Karen E. Brown

Signature

February 7, 2002

Date

Reg. No. 43,866

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

9

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents &amp; Trademarks, Box Assignments

P.O. Box 2327, Arlington, Virginia 22202

I hereby certify that this correspondence is being deposited in the U.S. Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 2327, Arlington VA 22202

on February 7, 2002 -

*[Signature]*  
PATENT

REEL: 012574 FRAME: 0410

ASSIGNMENT

I/We,

- (1) Frederick B. Oleson, Jr., and  
(2) Francis P. Tally,

residing, respectively, at

- (1) 5 Partridge Lane  
Concord, Massachusetts 01742, and  
(2) 336 Hemlock Circle  
Lincoln, Massachusetts 017733,

for good and valuable consideration, receipt of which is hereby acknowledged, have assigned, sold and transferred to and do hereby assign, sell and transfer to CUBIST PHARMACEUTICALS, INCORPORATED a corporation organized and existing under the laws of the STATE OF DELAWARE and having an office and a place of business at 65 HAYDEN AVENUE, LEXINGTON, MASSACHUSETTS 02421 its successors and assigns:

- (1) the entire right, title and interest in the United States and in all countries throughout the world in and to any and all my/our inventions and discoveries disclosed in the application for Letters Patent in the United States entitled: "METHODS FOR ADMINISTRATION OF ANTIBIOTICS", and filed in the United States Patent and Trademark Office on September 24, 1999, under Serial Number 09/406,568, including any renewals, revivals, reissues, reexaminations, extensions, continuations and divisions thereof, and any substitute applications therefor; (2) the full and complete right to file patent applications in the name of CUBIST PHARMACEUTICALS, INCORPORATED its designee, or in my/our names at CUBIST PHARMACEUTICALS, INCORPORATED or its designee's election, on the aforesaid inventions, discoveries and applications in all countries of the world; (3) the entire right, title and interest in and to any

Letters Patent which may issue thereon in the United States or in any other country of the world and any renewals, revivals, reissues, reexaminations and extensions of the same; and (4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation all rights of priority in any country of the world, in and to the above inventions, discoveries and applications.

I/We hereby authorize and request the competent authorities to grant and to issue any and all such Letters Patent in the United States and throughout the world to CUBIST PHARMACEUTICALS, INCORPORATED as the assignee of the entire right, title and interest therein, as fully and entirely as the same would have been held and enjoyed by me/us had this assignment, sale and transfer not been made.

I/We agree, at any time, upon the request of CUBIST PHARMACEUTICALS, INCORPORATED to execute and to deliver to CUBIST PHARMACEUTICALS, INCORPORATED any additional applications for patents for said inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any Letters Patent issuing on said inventions, discoveries or applications, and divisions, continuations, renewals, revivals, reissues, reexaminations and extensions thereof.

I/We further agree at any time to execute and to deliver upon request of CUBIST PHARMACEUTICALS, INCORPORATED such additional documents, if any, as are necessary or desirable to secure patent protection on said inventions, discoveries and applications throughout all countries of the world, and otherwise to do the necessary to give full effect to and to perfect the rights CUBIST PHARMACEUTICALS, INCORPORATED under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale as may be necessary or desirable.

ASSIGNORS:

Frederick B. Oleson, Jr. (1)  
Frederick B. Oleson, Jr.

\_\_\_\_\_  
Francis P. Tally (2)

On this 29 day of January, 2002,  
Frederick B. Oleson, Jr. (1) personally appeared before  
me, a Notary Public in and for the Commonwealth of  
Massachusetts, and executed the foregoing Assignment and  
duly acknowledged to me that such Assignment was executed  
for the uses and purposes therein expressed.

Janet I Murphy Kavanagh  
Notary Public

On this 29 day of January, \_\_\_\_\_,  
Francis P. Tally (2) personally appeared before me, a  
Notary Public in and for the Commonwealth of Massachusetts,  
and executed the foregoing Assignment and duly acknowledged  
to me that such Assignment was executed for the uses and  
purposes therein expressed.

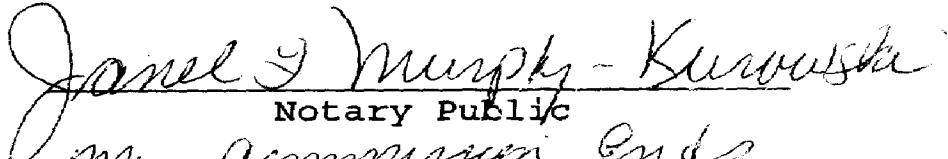
\_\_\_\_\_  
Notary Public

ACKNOWLEDGEMENT OF ASSIGNEE:

By: 

Alan D. Watson  
Senior Vice President,  
Corporate Development

On this 5 day of February, 2002,  
Alan D. Watson personally appeared before me, a Notary  
Public in and for the Commonwealth of Massachusetts, and  
duly acknowledged the executed Assignment on behalf of the  
Assignee.

  
Notary Public  
my Commission Ends  
on November 8, 2002

ASSIGNMENT

I/We,

- (1) Frederick B. Oleson, Jr., and  
(2) Francis P. Tally,

residing, respectively, at

- (1) 5 Partridge Lane  
Concord, Massachusetts 01742, and  
(2) 336 Hemlock Circle  
Lincoln, Massachusetts 017733,

for good and valuable consideration, receipt of which is hereby acknowledged, have assigned, sold and transferred to and do hereby assign, sell and transfer to CUBIST PHARMACEUTICALS, INCORPORATED a corporation organized and existing under the laws of the STATE OF DELAWARE and having an office and a place of business at 65 HAYDEN AVENUE, LEXINGTON, MASSACHUSETTS 02421 its successors and assigns:

- (1) the entire right, title and interest in the United States and in all countries throughout the world in and to any and all my/our inventions and discoveries disclosed in the application for Letters Patent in the United States entitled: "METHODS FOR ADMINISTRATION OF ANTIBIOTICS", and filed in the United States Patent and Trademark Office on September 24, 1999, under Serial Number 09/406,568, including any renewals, revivals, reissues, reexaminations, extensions, continuations and divisions thereof, and any substitute applications therefor; (2) the full and complete right to file patent applications in the name of CUBIST PHARMACEUTICALS, INCORPORATED its designee, or in my/our names at CUBIST PHARMACEUTICALS, INCORPORATED or its designee's election, on the aforesaid inventions, discoveries and applications in all countries of the world; (3) the entire right, title and interest in and to any

Letters Patent which may issue thereon in the United States or in any other country of the world and any renewals, revivals, reissues, reexaminations and extensions of the same; and (4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation all rights of priority in any country of the world, in and to the above inventions, discoveries and applications.

I/We hereby authorize and request the competent authorities to grant and to issue any and all such Letters Patent in the United States and throughout the world to CUBIST PHARMACEUTICALS, INCORPORATED as the assignee of the entire right, title and interest therein, as fully and entirely as the same would have been held and enjoyed by me/us had this assignment, sale and transfer not been made.

I/We agree, at any time, upon the request of CUBIST PHARMACEUTICALS, INCORPORATED to execute and to deliver to CUBIST PHARMACEUTICALS, INCORPORATED any additional applications for patents for said inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any Letters Patent issuing on said inventions, discoveries or applications, and divisions, continuations, renewals, revivals, reissues, reexaminations and extensions thereof.

I/We further agree at any time to execute and to deliver upon request of CUBIST PHARMACEUTICALS, INCORPORATED such additional documents, if any, as are necessary or desirable to secure patent protection on said inventions, discoveries and applications throughout all countries of the world, and otherwise to do the necessary to give full effect to and to perfect the rights CUBIST PHARMACEUTICALS, INCORPORATED under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale as may be necessary or desirable.

ASSIGNORS:

\_\_\_\_\_  
Frederick B. Oleson, Jr. (1)

Francis P. Tally  
Francis P. Tally (2)

On this \_\_\_\_\_ day of \_\_\_\_\_,  
Frederick B. Oleson, Jr. (1) personally appeared before  
me, a Notary Public in and for the Commonwealth of  
Massachusetts, and executed the foregoing Assignment and  
duly acknowledged to me that such Assignment was executed  
for the uses and purposes therein expressed.

\_\_\_\_\_  
Notary Public

On this 01 day of February, 2002,  
Francis P. Tally (2) personally appeared before me, a  
Notary Public in and for the Commonwealth of Massachusetts,  
and executed the foregoing Assignment and duly acknowledged  
to me that such Assignment was executed for the uses and  
purposes therein expressed.

Janet J. Murphy-Kurkowski  
Notary Public  
my Commission Expires  
September 8, 2002



ACKNOWLEDGEMENT OF ASSIGNEE:

By: AD Watson  
Alan D. Watson  
Senior Vice President,  
Corporate Development

On this 5 day of February, 2002,  
Alan D. Watson personally appeared before me, a Notary  
Public in and for the Commonwealth of Massachusetts, and  
duly acknowledged the executed Assignment on behalf of the  
Assignee.

Janet I Murphy - Kucowski  
Notary Public  
My Commission Expires  
on November 8, 2002