

02-20-2002

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| Form PTO-1595 |  101988109 | U.S. Department of Commerce 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.

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| 1. Name of conveying party(ies): <i>2-1-02</i> Christopher J. Michejda Marshall Morningstar Thomas Roth Additional name(s) of conveying party(ies) attached? No | 2. Name and address of receiving party(ies): The Government Of The United States Of America, as represented by the Secretary, Department Of Health And Human Services 6011 Executive Boulevard Rockville, Maryland 20852 Additional name(s) & address(es) attached? No |
| 3. Nature of conveyance: Assignment Execution Date: January 9, 2002 | |

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| 4. Title of Invention: SUBSTITUTED BENZIMIDAZOLES, AND METHODS OF USE THEREOF, FOR THE INHIBITION OF HIV REVERSE TRANSCRIPTION AND FOR THE TREATMENT OF HIV INFECTION Application number(s) or patent number(s): | |
| A. Patent Application No.(s): <u>09/380,171</u> | B. Patent No.(s): <i>FFB - 1 2002</i> |
| Additional numbers attached? No | |

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| 5. Name and address of party to whom correspondence concerning document should be mailed: Kamrin T. MacKnight MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105 | 6. Total number of applications and patents involved: 1 7. Total fee(s): Check(s) in the amount of \$40.00 enclosed (). 8. Deposit Account Authorization: The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 08-1290 . An originally executed duplicate of this transmittal is enclosed for this purpose. |
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DO NOT USE THIS SPACE

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| 9. Statement and Signature: <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> Date: <u>January 10, 2002</u> | Signature: <i>Kamrin MacKnight</i> Name: <u>Kamrin T. MacKnight</u> Reg. No.: <u>38,230</u> |
| Total number of pages including cover sheet, attachments, and document: 30 | |

02/19/2002 T0IAZ1 00000080 09930171

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40.00 OP

ASSIGNMENT

WHEREAS, WE, Christopher J. Michejda, Marshall Morningstar and Thomas Roth, hereinafter referred to as "ASSIGNOR", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **Substituted Benzimidazoles, And Methods Of Use Thereof, For The Inhibition Of HIV Reverse Transcription And For The Treatment Of HIV Infection**

Filing Date: 02/01/00 Serial No.: 09/380,171

WHEREAS, the conditions under which said invention was made are such as to entitle the Government 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 is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the provisional application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged, I hereby assign and transfer to the United States of America, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the U.S. and within each and every foreign country in which the Government elects to file and the entire right, title, and interest in and to such application, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the U.S. and foreign countries, and such Letters Patent as may be granted to be held by the Government to the end of the term for which the same would have been held by the inventors had this assignment not been made.

I further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to 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.

IN TESTIMONY WHEREOF, ASSIGNOR has hereunto signed ASSIGNOR's names to this assignment on the date indicated below.

Christopher J. Michejda

Marshall Morningstar

Thomas Roth, 9 Jan 2002

Thomas Roth

STATE OF _____)

ss.

COUNTY OF _____)

On this 9th day of January, in the year of 2002, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.

NOTARY PUBLIC

SEAL

ASSIGNMENT

WHEREAS, WE, Christopher J. Michejda, Marshall Morningstar and Thomas Roth, hereinafter referred to as "ASSIGNOR", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

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NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged, I hereby assign and transfer to the United States of America, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the U.S. and within each and every foreign country in which the Government elects to file and the entire right, title, and interest in and to such application, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the U.S. and foreign countries, and such Letters Patent as may be granted to be held by the Government to the end of the term for which the same would have been held by the inventors had this assignment not been made.

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IN TESTIMONY WHEREOF, ASSIGNOR has hereunto signed ASSIGNOR's names to this assignment on the date indicated below.



Christopher J. Michejda

Marshall Morningstar

Thomas Roth

STATE OF Maryland)
COUNTY OF Frederick)

ss.

On this 8th day of January, in the year of 2002, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.



NOTARY PUBLIC



SEAL

My Commission Expires 10/28/03

ASSIGNMENT

WHEREAS, WE, Christopher J. Michejda, Marshall Morningstar and Thomas Roth, hereinafter referred to as "ASSIGNOR", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **Substituted Benzimidazoles, And Methods Of Use Thereof, For The Inhibition Of HIV Reverse Transcription And For The Treatment Of HIV Infection**

Filing Date: 02/01/00 Serial No.: 09/380,171

WHEREAS, the conditions under which said invention was made are such as to entitle the Government 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 is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the provisional application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged, I hereby assign and transfer to the United States of America, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the U.S. and within each and every foreign country in which the Government elects to file and the entire right, title, and interest in and to such application, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the U.S. and foreign countries, and such Letters Patent as may be granted to be held by the Government to the end of the term for which the same would have been held by the inventors had this assignment not been made.

I further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to 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.

IN TESTIMONY WHEREOF, ASSIGNOR has hereto signed ASSIGNOR's names to this assignment on the date indicated below.

Christopher J. Michejda

Marshall Morningstar

Marshall Morningstar

Thomas Roth

STATE OF _____)

COUNTY OF _____)

ss.

On this _____ day of _____, in the year of _____, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.

NOTARY PUBLIC

SEAL