

AIDS81-40

10/030793

531 Rec'd PCT/PA 11 JAN 2002

MURD 1-11-02

Form PTO-1595 (Rev 03-01) OMB No 0651-0027 (exp 5/31/2002) 03-11-2002 102009832 EET U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

To the Honorable Commissioner Record the attached original documents or copy thereof

1. Name of conveying party(ies) International Institute of Cell Biology Additional name(s) of conveying party(ies) attached? [ ] Yes [x] No

2. Name and address of receiving party(ies) Name: Icon Genetics, Inc. Internal Address: Street Address: 66 Witherspoon Street, Suite 134 City: Princeton State: NJ Zip: 08542 Additional name(s) & address(es) attached: [ ] Yes [x] No

3. Nature of Conveyance: [x] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [ ] Other Execution Date: June 4, 2000

4. Application number(s) or patent number(s): 10030793 If this document is being filed together with a new application, the execution date of the new application is: December 13, 2001 A. Patent Application No.(s): B. Patent No.(s): Additional numbers attached? [ ] Yes [x] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Shawn P. Foley LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP Internal Address: Street Address: 600 South Avenue West City: Westfield State: NJ Zip: 07090

6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41) \$ 40.00 [ ] Enclosed [x] Authorized to be charged to deposit account 8. Deposit account number: 12-1095 (Attach duplicate copy of this page if paying by deposit account)

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. Shawn P. Foley Signature January 11, 2002 Date Total number of pages including cover sheet, attachments, and documents: 4

## CONFIRMATION OF ASSIGNMENT

This Agreement is made by and among Victor Klimyuk, a citizen of the United Kingdom, residing at 98 North Park Avenue, Norwich, NIR4 7EG, United Kingdom ("Klimyuk"), Nikolay V. Kuchuk, a citizen of the Ukraine, residing at Uborevicha Street, 27, Apartment 145, Kiev 252179, Ukraine ("Kuchuk"), the International Institute of Cell Biology, an organization of the Ukraine, having a place of business at Zabolotnogo Street, 148 Kiev, DSP-22, 252650, Ukraine ("Institute") and Icon Genetics, Inc., a corporation of New Jersey, having a business address at 66 Witherspoon Street, Suite 134, Princeton, New Jersey 08542 ("Icon"). Collectively, all the foregoing shall be deemed "the Parties".

WHEREAS, the Parties wish to confirm in a single document the series of assignments that have already taken place and the transfers of the intellectual property at issue.

NOW, THEREFORE, for good and valuable consideration, given and received by all of the Parties in their respective chain of title, the Parties agree as follows:

1. A United States Provisional Patent Application entitled "Method of Making Artificial Chromosomes" and assigned Application No. 60/147,445 ("the Application") was filed with the United States Patent & Trademark Office on August 5, 1999 with the express agreement and consent of all the Parties.

2. Klimyuk and Kuchuk, both of whom at the time of invention were legally employed by the Institute, are inventors of the Application and of the underlying inventions.

3. Klimyuk and Kuchuk have assigned and hereby do, nunc pro tunc, assign all their worldwide right, title and interest in and to the Application and all underlying inventions with respect thereto to the Institute in accordance with the legal obligations of Kuchuk and Klimyuk as employees of the Institute. The assignment includes but is not limited to any patent application filed anywhere in the world as well as any divisional, continuation, continuation-in-part, substitute, reexamination, reissue or any other type of patent application, patent or intellectual property protection which may arise from the Application or the underlying inventions.

4. The Institute has assigned and hereby does, nunc pro tunc, assign all worldwide right, title and interest in and to the Application and all underlying inventions to Icon. This assignment includes but is not limited to any patent application filed anywhere in the world as well as any divisional, continuation, continuation-in-part, substitute, reexamination or reissue application, patent or intellectual property protection which may arise from the Application or the underlying inventions.

5. Icon and the Institute reaffirm their obligations under a certain Research and Licensing Agreement effective May 3, 1999 between them in which both recognize their ongoing relationship with respect to, in part, the Application and the underlying inventions.

6. The Parties represent, recognize and acknowledge that this is a binding legal document and that they are authorized to execute the document either individually or on behalf of the entity for which they are signing.

7. The Parties agree that this Confirmation of Assignment shall be governed by the laws of the United States.

By: N. Kuchuk

Nikolay V. Kuchuk

Date: 04/03/2000

By: [Signature]

Victor Klimyuk

Date: 06.04.2000

Witness: [Signature] V. Belokurov

Date: 04/03/2000

Witness: [Signature]

Date: Apr 6, 2000

THE INTERNATIONAL INSTITUTE OF CELL BIOLOGY

By: [Signature]

Yuri Gleba, Director

Date: May 4, 2000

STATE OF New Jersey  
COUNTY OF Union

On this 4th day of May, 2000, before me appeared YURI GLEBA, the person who signed this instrument, who acknowledged that the same was executed by him of his own free will for the purposes therein set forth.

[Signature]  
Notary Public

**SUZANNE KAHALY**  
A Notary Public of New Jersey  
My Commission Expires January 31, 2006

ICON GENETICS, INC.

By: [Signature]  
Newell Bascomb, President

Date: May 4, 2000

STATE OF New Jersey  
COUNTY OF Union

On this 4th day of May, 2000, before me appeared NEWELL BASCOMB, the person who signed this instrument, who acknowledged that the same was executed by him of his own free will for the purposes therein set forth.

[Signature]  
Notary Public

**SUZANNE KAHALY**  
A Notary Public of New Jersey  
My Commission Expires January 31, 2006