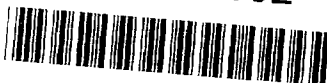


06-20-2002

ARTMENT OF COMMERCE

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Docket No. 300622005300

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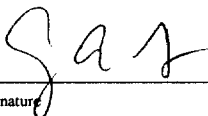
To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveyer(s) Gary ASHLEY, Mark BURLINGAME, Christopher CARRERAS, and Daniel SANTI  <b>6-11-02</b> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies):  Name: KOSAN Biosciences, Inc. Internal Address: Street Address: 3832 Bay Center Place City: Hayward, State: California ZIP: 94545  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: June 8, 2001	

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) <u>09/788,314</u> B. Patent No.(s) Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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5. Name and address of party to whom correspondence concerning document should be mailed:  Carolyn A. Favorito Morrison & Foerster LLP 3811 Valley Centre Drive Suite 500 San Diego, California 92130-2332	6. Total number of applications and patents involved: 1 7. Total fee (37 C.F.R. § 3.41): \$40.00  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account, referencing Attorney Docket 300622005300 8. Deposit account number: <u>03-1952</u>
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The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.**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.  Name: Carolyn A. Favorito Registration No: 39,183  <div style="text-align: center;">   Signature </div> <div style="text-align: right;"> <u>6-3-02</u>  Date </div>	
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Total number of pages comprising cover sheet, attachments and document: 3

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01 FC:581 40.00 CH

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents and Trademarks  
Box Assignments  
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**PATENT**  
**REEL: 012994 FRAME: 0336**

## ASSIGNMENT JOINT

THIS ASSIGNMENT, by Gary ASHLEY, Mark BURLINGAME, Christopher CARRERAS, and Daniel SANTI (hereinafter referred to as the assignors), residing at 1102 Verdemar Drive, Alameda, CA 94502, 59 Albion Street, San Francisco, CA 94103, 910 Chevy Street, Belmont, CA 95116 and 211 Belgrave Avenue, San Francisco, CA 94111, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in MOTILIDE COMPOUNDS, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/788,314 and filed on February 15, 2001; and

WHEREAS, KOSAN BIOSCIENCES, INC., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 3832 Bay Center Place, Hayward, CA 94545 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

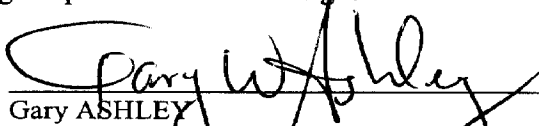
NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.


AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

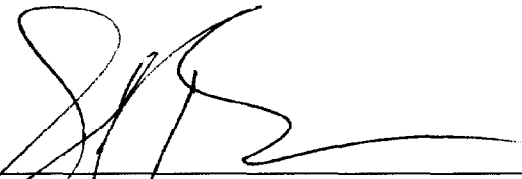
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Gary ASHLEY

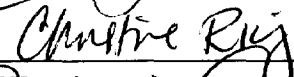
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Date

  
Witness


06/08/01  
Date

  
Mark BURLINGAME

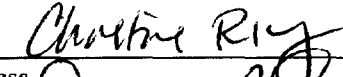
6/8/01  
Date

  
Witness Christine Rigg

6/8/01  
Date

  
Christopher CARRERAS

6/8/01  
Date

  
Witness Christine Rigg

06/08/01  
Date

  
Daniel SANTI

6/8/01  
Date

  
Witness Christine Rigg