

09-11-2002

Atty. Ref. No. 4239-60896

**RECORDATION**

102218040

NTS ONLY

BOX ASSIGNMENT
 COMMISSIONER OF PATENTS AND TRADEMARKS
 WASHINGTON, D.C. 20231

9-9-02

1. Total number of pages including cover sheet, attachments and document: 5**2. Name of Conveying Party(ies) and Execution Date(s) of Document(s)** ☐ Check here if additional name(s) attached

Name(s): (1) Jon G. Wilkes, (2) Fatemeh Rafii, (3) Katherine Glover, (4) Manuel Holcomb, (5) Xiaoxi Cao, (6) John B. Sutherland

Execution Date(s): (1) January 15, 2002, (2) January 15, 2002, (3) June 6, 2002, (4) February 22, 2002 (5) January 15, 2002, (6) January 15, 2002

3. Name and address of receiving party☐ Check here if additional name(s) & address(es) are attached

Name The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services

Address National Institutes of Health
 Office of Technology Transfer, Suite 325
 6011 Executive Boulevard

City Rockville State/Country MD Zip 20852

4. Nature of Conveyance

☒ Assignment ☐ Merger ☐ Security Agreement ☐ Name Change ☐ Other:

5. Total number of applications and patents involved: 1**6. Total Fee Enclosed (37 C.F.R. § 3.41): \$40.00****7. ☒ Check here if any deficiency/overpayment is authorized to be charged to deposit account 02-4550****8. Enter either the Execution date (of the Declaration and Power of Attorney), Application Number, or the Patent Number. Do not enter more than one number for the same patent.**

A. ☐ This document is being filed with a new application. Execution date is: _____

B. ☒ Patent Application No.(s) or Patent No.(s): 09/975,530

☐ Check here if additional numbers are attached

9. Correspondent's name, address, and telephone number

William D. Noonan, M.D.
 Klarquist Sparkman, LLP
 One World Trade Center, Suite 1600
 121 S.W. Salmon Street
 Portland, Oregon 97204-2988
 Telephone: 503-226-7391

OFFICE OF RECORDS
 2002 SEP -9 AM 9:55
 FINANCE SECTION

10. ☒ Please return the attached postcard to confirm that these items have been received.**11. 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.*

Tanya M. Harding, Ph.D.

Name of Person Signing

Signature

September 4, 2002

Date

09/10/2002 DBYRNE 00000179 09975530

01 FC:581

40.00/00

PATENT
REEL: 013266 FRAME: 0073

ASSIGNMENT

WHEREAS, we, Jon G. Wilkes, of Little Rock, AR, a citizen of the United States of America, Fatemeh Rafii, of White Hall, AR, a citizen of the United States of America, Katherine Glover, of Nashville, TN, a citizen of the United States of America, and Manuel Holcomb, of Carlisle, AR, a citizen of the United States of America, Xiaoxi Cao, of Redfield, AR, a citizen of the Peoples Republic of China, and John B. Sutherland, of White Hall, AR, a citizen of the United States of America, employees of the Department of Health and Human Services at the time the invention was made, have invented MICROBIAL IDENTIFICATION DATABASES for which an application to the Commissioner for Patents for grant of Letters Patent of the United States of America and is identified as U.S. Patent Application Serial No. 09/975,530 filed 10/10/2000.

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 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 their successors, the full and exclusive right, title, and interest in the invention, patent application and patent rights 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 United States Law and the Paris Convention, or of any divisional, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

AND, we hereby authorize and request the Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as an 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.

We hereby grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Assignment any further information which may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.


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

Dated: 01/15/02


Jon G. Wilkes

STATE OF ARKANSAS)
) ss.
COUNTY OF JEFFERSON)

This 15th day of January, 2002, before me personally came the above-named Jon G. Wilkes, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.


Notary Public for Arkansas
My commission expires: 10/24/2006


[SEAL]

Dated: 1/15/2002


Fatemeh Rafii


STATE OF ARKANSAS)
) ss.
COUNTY OF JEFFERSON)

This 15th day of January, 2002, before me personally came the above-named Fatemeh Rafii, who executed the foregoing Assignment in my presence, and who acknowledged to me that she executed the same of her own free will for the purposes set forth therein.


Notary Public for Arkansas
My commission expires: 10/24/2006

[SEAL]

Dated: 06/06/02


Katherine Glover

[illegible]

This 6th day of June, ~~2001~~²⁰⁰², before me personally came the above-named Katherine Glover, who executed the foregoing Assignment in my presence, and who acknowledged to me that she executed the same of her own free will for the purposes set forth therein.

Mary Ann Hicks
Notary Public for Tennessee
My commission expires: October 25, 2003

[SEAL]

Dated: _____

Manuel Holcomb

STATE OF ARKANSAS)
) ss.
COUNTY OF)

This ____ day of _____, 2001, before me personally came the above-named Manuel Holcomb, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

Notary Public for Arkansas
My commission expires:

[SEAL]

Dated: _____

Katherine Glover

STATE OF TENNESSEE)
) ss.
COUNTY OF _____)

This ____ day of _____, 2001, before me personally came the above-named Katherine Glover, who executed the foregoing Assignment in my presence, and who acknowledged to me that she executed the same of her own free will for the purposes set forth therein.

Notary Public for Tennessee
My commission expires:

[SEAL]

Dated: 2-22-02

Manuel Holcomb
Manuel Holcomb

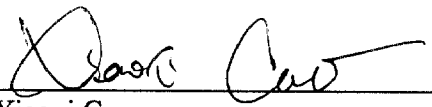
STATE OF ARKANSAS)
) ss.
COUNTY OF Prairie)

This 22 day of Feb, 2001, before me personally came the above-named Manuel Holcomb, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

Karen Skarda, County Clerk
B. Dham Brown DC
Notary Public for Arkansas
My commission expires: 12-31-02

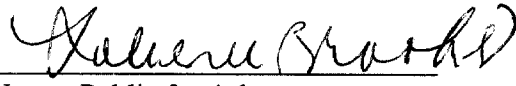
[SEAL]

Dated: 01/15/2002


Xiaoxi Cao

STATE OF ARKANSAS)
) ss.
COUNTY OF JEFFERSON)

This 15th day of January, 2002², before me personally came the above-named Xiaoxi Cao, who executed the foregoing Assignment in my presence, and who acknowledged to me that she executed the same of her own free will for the purposes set forth therein.


Notary Public for Arkansas
My commission expires: 10/24/2006

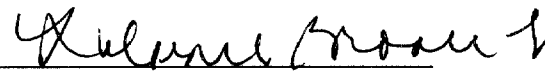
[SEAL]

Dated: 01/15/2002


John B. Sutherland

STATE OF ARKANSAS)
) ss.
COUNTY OF JEFFERSON)

This 15th day of January, 2002², before me personally came the above-named John B. Sutherland, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.


Notary Public for Arkansas
My commission expires: 10/24/2006

[SEAL]