

Form PTO-1595
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

U.S. Department of Commerce
Patent and Trademark Office

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

1. Name of conveying party(ies): (a) Sui Xiong Cai (e) Shailaja Kasibhatla (b) Han-Zhong Zhang (f) Jared Daniel Kuemmerle (c) John A. Drewe (g) Kristin P. Ollis (d) P. Sanjeeva Reddy 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: Cytovia, Inc. Internal Address: <u>9.6.02</u> Street Address: 6650 Nancy Ridge Drive City: San Diego State: California Zip Code: 92121 Country: United States of America Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" 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: (a) 08/01/2002 (e) 07/27/2002 (b) 08/01/2002 (f) 08/21/2002 (c) 08/01/2002 (g) 08/20/2002 (d) 09/03/2002	

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>10/164,705</u> Additional numbers attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		B. Patent No(s).
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5. Name and address of party to whom correspondence concerning document should be mailed: Name: Sterne, Kessler, Goldstein & Fox P.L.L.C. Internal Address: c/o Bruce E. Chalker, Esq. (Atty. Dkt. 1735.0640001/RWE/BEC) Street Address: 1100 New York Ave., N.W. Suite 600 City: Washington State: D.C. Zip Code: 20005-3934	6. Total number of applications and patents involved: <u>1</u>
	7. Total fee (37 C.F.R. § 3.41).....\$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to Deposit Account
8. Deposit Account Number: 19-0036 (Attach duplicate copy of this page if paying by deposit account)	

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>		
<u>Bruce E. Chalker</u> Name of Person Signing Registration No. 47,480	<u>B. E. Chalker</u> Signature	<u>September 6, 2002</u> Date
Total number of pages including cover sheet, attachments and document <u>3</u>		

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks, Box Assignments
Washington, D.C. 20231

09/11/2002 LMUELLER 00000239 10164705
01 FC:581 40.00 DP

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventor(s): Sui Xiong Cai, Han-Zhong Zhang, John A. Drewe, P. Sanjeeva Reddy, Shailaja Kasibhatla, Jared Daniel Kuemmerle and Kristin P. Ollis, the undersigned inventor(s) hereby sell(s) and assign(s) to Cytovia, Inc. (the Assignee) their entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

check applicable box(es)

- ☒ for the United States of America (as defined in 35 U.S.C. § 100),
☒ and throughout the world,

(a) in the invention(s) known as Substituted 3-Aryl-5-aryl-[1,2,4]-oxadiazoles and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof for which application(s) for patent in the United States of America has (have) been executed by the undersigned on 8/1/02, 8/11/02, 8/11/02, 9/8/02, 7/27/02, 8/21/02
and 8/20/02, respectively,

RWE
Reg. No. 32,893

(also known as United States Application No. 10/164,705, filed June 10, 2002), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

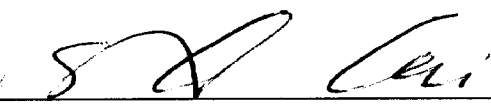
The undersigned inventor(s) agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

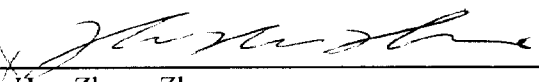
The undersigned inventor(s) agree(s) to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

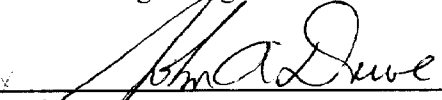
The undersigned inventor(s) hereby represent(s) that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

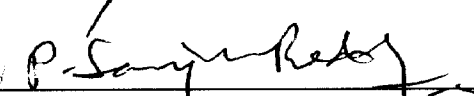
The undersigned inventor(s) hereby grant(s) Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; Michael Q. Lee, Esquire, Registration No. 35,239; Steven R. Ludwig, Esquire, Registration No. 36,203; John M. Covert, Esquire, Registration No. 38,759; Linda E. Alcorn, Esquire, Registration No. 39,588; Lawrence B. Bugaisky, Esquire, Registration No. 35,086; Donald J. Featherstone, Esquire, Registration No. 33,876; and Robert C. Millonig, Esquire, Registration No. 34,395, all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.


IN WITNESS WHEREOF, executed by the undersigned inventor(s) on the date opposite his/her name.


Date: 8/1/02 Signature of Inventor: 
Sui Xiong Cai

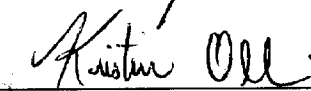
Date: 8/1/02 Signature of Inventor: 
Han-Zhong Zhang

Date: 8/1/02 Signature of Inventor: 
John A. Drewe

Date: 9/3/02 Signature of Inventor: 
P. Sanjeeva Reddy

Date: 7/27/02 Signature of Inventor: 
Shailaja Kasibhatla

Date: 8/21/2002 Signature of Inventor: 
Jared Daniel Kuemmerle

Date: 8/20/02 Signature of Inventor: 
Kristin P. Ollis



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
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Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

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Vincent L. Capuano
Albert J. Fasulo II*
Eldora Ellison Floyd
W. Russell Swindell

Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaton*
Reginald D. Lucas*
Kimberly N. Reddick
Theodore A. Wood
Elizabeth J. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cottingham*
Christine M. Lhulier
Rae Lynn Pngaman*
Jane Shershenovich*
Lawrence J. Carroll*
George S. Bardmesser

Registered Patent Agents*
Karen R. Markowicz
Andrea J. Kamage
Nancy J. Leith
Joseph M. Conrad III
Ann E. Summerfield
Helene C. Carlson
Gabry L. Longworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Boris A. Matvenko
Mary B. Tung
Katrina Y. Pei
Bryan L. Skelton
Jason D. Eisenberg
John J. Figueroa

Senior Counsel
Samuel L. Fox
Kenneth C. Bass III
Lisa A. Dunner

*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas
*Practice Limited to
Federal Agencies

September 6, 2002

WRITER'S DIRECT NUMBER:
(202) 371-2630

INTERNET ADDRESS:
bchalker@skgf.com

The Honorable Director
of Patents and Trademarks
Washington, D.C. 20231

Box Assignment

Re: U.S. Utility Patent Application
Appl. No. 10/164,705; filed June 10, 2002
For: **Substituted 3-Aryl-5-aryl-[1,2,4]-oxadiazoles and Analogs as Activators
of Caspases and Inducers of Apoptosis and the Use Thereof**
Inventors: Cai *et al.*
Our Ref: 1735.0640001/RWE/BEC

Sir:

Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Recordation Form Cover Sheet (Form PTO-1595);
2. Assignment to Cytovia, Inc. official recordation and return of which are respectfully requested;
3. Fee Transmittal Form (PTO/SB/17);
4. Return postcard; and
5. Our check no. 36561 for \$40.00 to cover the recordation fee (37 C.F.R. § 1.21(h)).

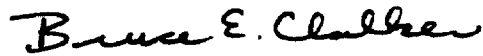
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. The U.S. Patent and Trademark Office is

The Honorable Director
of Patents and Trademarks
September 6, 2002
Page 2

hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account
No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, reading "Bruce E. Chalker". The signature is written in a cursive, flowing style.

Bruce E. Chalker
Attorney for Applicants
Registration No. 47,480

BEC/dab
::ODMA\MHODMA\SKGF_DC1;53386;1
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



Complete if Known

Application Number	10/164,705
Filing Date	June 10, 2002
First Named Inventor	Cai et al.
Examiner Name	(to be assigned)
Group Art Unit	1614
Attorney Docket No.	1735.0640001/RWE/BEC

TOTAL AMOUNT OF PAYMENT (\$)**40.00**

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) **-0-**

2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims - 20** =	X	=
Indep. Claims - 3** =	X	=
Multiple Dependent		=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
108	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **-0-**

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **40.00**

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Bruce E. Chalker	Registration No. (Attorney/Agent)	47,480	Telephone	202-371-2600
Signature	<i>B. E. Chalker</i>	Date	09/06/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 6/11/02 mna

Fee transmittal from for assignment wpd

PATENT

RECORDED: 09/06/2002

REEL: 013268 FRAME: 0226