

RECORD

10-21-2002

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Attorney's Docket No.: P-133-US1

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To the Honorable Commissioner of Patents

102254511

and attached original documents or copy thereof.

1. Name of conveying party(ies):

Paul R. Fatheree; Martin S. Linsell; Daniel D. Long;
Daniel Marquess; Edmund J. Moran;
Matthew B. Nodwell; S. Derek Turner; James Aggen

Additional name of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: THERAVANCE, INC.

Street Address: 901 Gateway Boulevard

South San Francisco, CA 94080

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

Execution Dates: September 24, 2002; September 24, 2002;
September 24, 2002; September 30, 2002; September 25, 2002;
September 24, 2002; September 30, 2002; September 27, 2002

4. Application number(s) or patent number(s):

10269471

If this document is being filed together with a new application, the execution date of the application is: October 11, 2002

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: David E. Boone, Esq.

Address: THERAVANCE, INC.

Attn: Legal Department

901 Gateway Boulevard

South San Francisco, CA 94080

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

50-0344

(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.

Jeffrey Hagenah, Reg. No. 35,175

Name of Person Signing

Jeffrey Hagenah
Signature

10-11-2002

Date

Total number of pages including cover sheet, attachments, and documents:

10/18/2002 JTALLAH 00000036 500344M 10269471 Patents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignment
Washington, D.C. 20231

01 FC:0021

40.00 CH

PATENT
REEL: 013384 FRAME: 0735

Assignment

This **Assignment**, by **Paul Fatheree**, residing at 921 Minnesota Street, San Francisco, CA; **Martin Linsell**, residing at 37 Coso Avenue, San Francisco, CA; **Daniel D. Long**, residing at 3855 21st Street, #3, San Francisco, CA 94114; **Daniel Marquess**, 2037 Touraine Lane, Half Moon Bay, CA; **Edmund J. Moran**, residing at 131 Chaves, San Francisco, CA; **Matthew Nodwell**, residing at 1221 Masonic Avenue, Apt. #12, San Francisco, CA 94117; **S. Derek B. Turner**, residing at 77 Paloma Avenue, Apt. 37, Pacifica, CA; **James Aggen**, residing at 1105 Bayswater Avenue #1, Burlingame, CA (hereinafter referred to as "the **Assignors**"), respectively, witnesseth:

WHEREAS, the Assignors have invented certain new and useful improvements in **Cross-Linked Glycopeptide-Cephalosporin Antibiotics** set forth in an application for Letters Patent of the United States,

- ☐ which is a provisional application
 - ☐ to be filed herewith; or
 - ☐ bearing Application No. _____, and filed on _____ or
- ☒ which is a non-provisional application
 - ☒ to be filed herewith; or
 - ☐ bearing Application No. _____, and filed on _____; and

WHEREAS, **Theravance, Inc.**, a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 901 Gateway Boulevard, South San Francisco, California 94080 (hereinafter referred to as "the **Assignee**"), is desirous of acquiring the entire right, title and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, 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, the Assignor has sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns, the entire right, title and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and 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 the Assignee, for its own use and behalf and the use and behalf 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, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the Assignor is the sole and lawful owner of the entire right, title and interest in and to the inventions set forth in said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents 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 or Patents for said inventions, without charge to the Assignor, its successors, legal representatives and assigns, but at the cost and expense of the Assignee, its successors, legal representatives and assigns;

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said inventions and the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives and assigns.

Date 9/24/02 Signature of Assignor 
Paul R. Fatheree

State of California

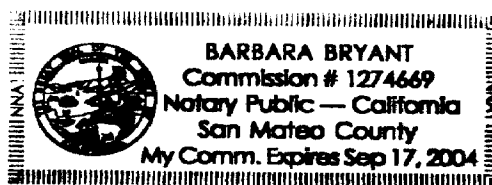
County of San Mateo

On September 24, 2002 before me, Barbara Bryant, Notary Public
personally appeared Paul R. Fatheree,

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Signature of Notary Public



Date 9/24/02

Signature of Assignor *Martin S. Linsell*
Martin S. Linsell

State of California

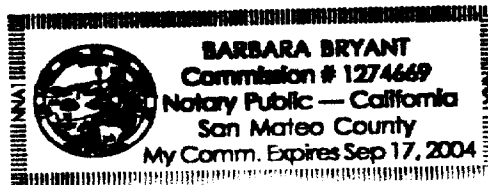
County of San Mateo

On September 24, 2002 before me, Barbara Bryant, Notary Public
personally appeared Martin S. Linsell

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Barbara Bryant
Signature of Notary Public



Date 9/24/02

Signature of Assignor *Daniel D. Long*
Daniel D. Long

State of California

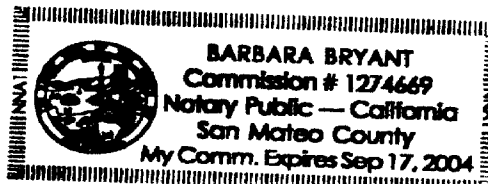
County of San Mateo

On September 24, 2002 before me, Barbara Bryant, Notary Public
personally appeared Daniel D. Long

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Barbara Bryant
Signature of Notary Public



Date 09/30/2002

Signature of Assignor *D. Marques*
Daniel Marques

State of California

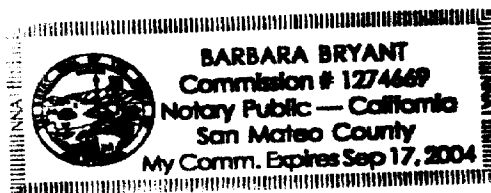
County of San Mateo

On September 30, 2002 before me, Barbara Bryant, Notary Public
personally appeared Daniel Marques,

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to
me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by
~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Barbara Bryant
Signature of Notary Public



Date Sept 25, 2002

Signature of Assignor *EJ Moran*
Edmund J. Moran

State of California

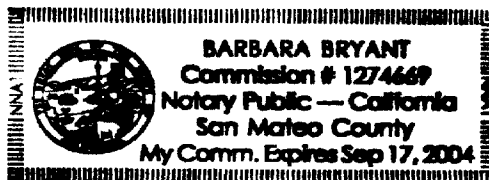
County of San Mateo

On September 25, 2002 before me, Barbara Bryant, Notary Public
personally appeared Edmund J. Moran,

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to
me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by
~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

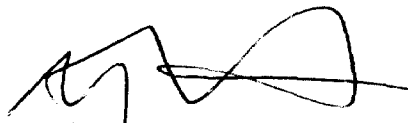
WITNESS my hand and official seal.

Barbara Bryant
Signature of Notary Public



Date Sept 24 102

Signature of Assignor



Matthew B. Nodwell

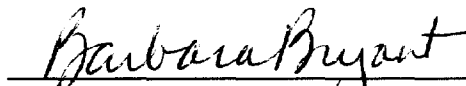
State of California

County of San Mateo

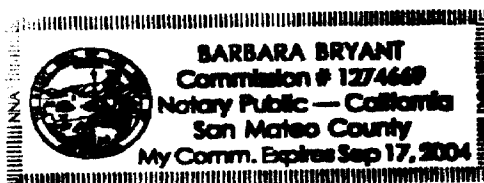
On September 24, 2002 before me, Barbara Bryant, Notary Public
personally appeared Matthew B. Nodwell

☐ personally known to me — OR — ☒ proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to
me that ~~he/she/they~~ he executed the same in ~~his/her/their~~ his authorized capacity(~~ies~~), and that by
~~his/her/their~~ his signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the
person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.



Signature of Notary Public



Date 9/30/02

Signature of Assignor



S. Derek Turner

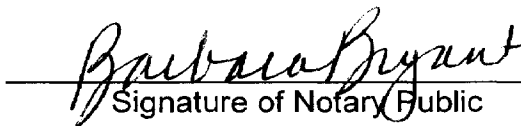
State of California

County of San Mateo

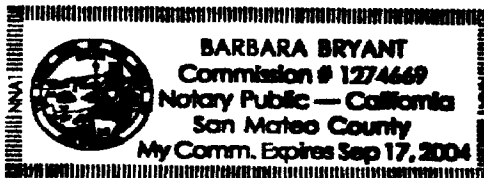
On September 30, 2002 before me, Barbara Bryant, Notary Public
personally appeared S Derek Turner

☒ personally known to me — OR — ☐ proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to
me that ~~he/she/they~~ he executed the same in ~~his/her/their~~ his authorized capacity(~~ies~~), and that by
~~his/her/their~~ his signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the
person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.



Signature of Notary Public



Date Sept. 27, 2002 Signature of Assignor James Aggen
James Aggen

State of California

County of San Mateo

On September 27, 2002 before me, Barbara Bryant, Notary Public
personally appeared James Aggen,

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Barbara Bryant
Signature of Notary Public

