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1. Total number of pages including cover sheet, attachments and document: 4**2. Name of Conveying Party(ies) and Execution Date(s) of Document(s)** ☐ Check here if additional name(s) attached

Name(s): Steven Fischer, Gary Fahle and Patricia S. Conville

Execution Date(s): January 15, 2003

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: 2****6. Total Fee Enclosed (37 C.F.R. § 3.41): \$80.00****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): PCT Application No. PCT/US01/06731 and U.S. Patent Application No. 10/220,212☐ Check here if additional numbers are attached**9. Correspondent's name, address, and telephone number**Susan Alpert Siegel, Ph.D.
Klarquist Sparkman, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204-2988
Telephone: 503-226-7391**10. 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.*

Susan Alpert Siegel, Ph.D.

Name of Person Signing

Signature

January 23, 2003

Date

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ASSIGNMENT

WHEREAS, we, Steven H. Fischer, of 5407 Nibud Court, Rockville, Maryland, 20852, a citizen of the United States of America, Gary A. Fahle, of 9106 Eton Road, Silver Spring, Maryland, 20901, a citizen of the United States of America, and Patricia S. Conville, of 4 Gruenther Court, Rockville, Maryland, 20851, 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 MULTIPLEX HYBRIDIZATION SYSTEM FOR IDENTIFICATION OF PATHOGENIC MYCOBACTERIUM METHOD OF USE for which the following patent applications have been filed:

PCT Application No. PCT/US01/06731, filed on March 1, 2001; and
U.S. Application No. 10/220,212, filed on August 27, 2002;

all three of which applications are collectively referred to herein as "the patent applications."

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, both domestic and foreign, of the invention and patent applications; 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 patent applications as well as any Letters Patent of the United States of America issuing therefrom; 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 applications 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 patent applications, all rights in the invention and the patent applications, 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 patent applications 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 or Patents 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 or Patents 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 patent applications 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: 1-15-03

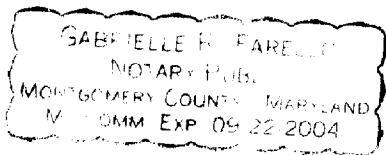
Steven H. Fischer
Steven H. Fischer

STATE OF Maryland)
) ss.
COUNTY OF Montgomery

This 15th day of January, 2003, before me personally came the above-named Steven H. Fischer, 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.

Gabrielle R. Farella
Notary Public for _____
My commission expires: 09/22/04

[SEAL]



Dated: 1.15.03

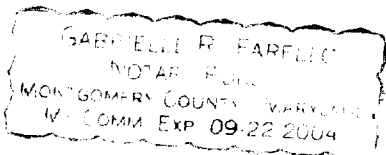
Gary A. Fahle
Gary A. Fahle

STATE OF Maryland)
) ss.
COUNTY OF Montgomery

This 15th day of January, 2003, before me personally came the above-named Gary A. Fahle, 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.

Gabrielle R. Farella
Notary Public for _____
My commission expires: 09/22/04

[SEAL]



Dated: 1-15-03

Patricia S. Conville
Patricia S. Conville

STATE OF Maryland)
) ss.
COUNTY OF Montgomery

This 15th day of January, 2003, before me personally came the above-named Patricia S. Conville, 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.

Gabrielle P. Farrell
Notary Public for _____
My commission expires: 04/22/04

[SEAL]

