



02-21-2003



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RECORDATION FORM COVER SHEET  
PATENTS ONLY

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

<p>1. Name of Conveying Party:</p> <p>1) Richard D. KOPKE 2) Michael E. HOFFER</p> <p><input type="checkbox"/> Additional names of conveying parties attached.</p>	<p>2. Name and Address of Receiving Party(ies):</p> <p>Name: United States of America as Represented by the Secretary of the Navy</p> <p>Street Address: 503 Robert Grant Avenue</p> <p>City, State, Zip: Silver Spring, MD 20910-7500</p> <p><input type="checkbox"/> Additional name(s) and address(es) attached.</p>
<p>3. Nature of Conveyance</p> <p><input checked="" type="checkbox"/> Assignment                      <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement              <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:</p> <p>Execution Date: 1) 02/13/03                           2) 02/13/03</p>	<p>4. (B) Patent Number(s):</p>
<p>4. (A) Patent Application Number(s):</p> <p>09/766,625                      2/14/03</p> <p>If this document is being filed together with a new application, the execution date of the application is:</p> <p><input type="checkbox"/> Additional Numbers Attached.</p>	<p>6. Total Number of Applications and Patents Involved</p> <p style="text-align: center;">1</p> <hr/> <p>7. Total Fee</p> <p style="text-align: center;">\$ 40.00</p> <p>(37 CFR 3.41)</p> <p><input checked="" type="checkbox"/> Enclosed. <input checked="" type="checkbox"/> Authorized to be charged to deposit account.</p> <hr/> <p>8. Deposit Account Number</p> <p style="text-align: center;">140595</p> <p style="text-align: center;"><small>ATTACH DUPLICATE COPY OF THIS PAGE IF PAYING BY DEPOSIT ACCOUNT.</small></p>

DO NOT USE THIS SPACE

9. Statement and Signature

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

*Philip E. Ketner*  
Philip E. Ketner, Reg. No. 46,272

Name of Person Signing

Date: February 14, 2003

Attorney Docket No.: NC 82,956

Total number of pages comprising cover sheet: 1

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NC Serial No. 82,956

### ASSIGNMENT OF INVENTION

WHEREAS, I (we) Richard D. Kopke and Michael E. Hoffer, San Diego, CA, respectively, while employed by the Government of the United States of America, hereinafter referred to as the Government, have invented certain new and respectively improvements in PREVENTION OR REVERSAL OF SENSORINEURAL HEARING LOSS (SNHL) THROUGH BIOLOGICAL MECHANISMS identified as Navy Case No. 82,956 and described in application for Letters Patent of the United States of America having United States Patent Application Serial No. 09/766,625 filed January 23 2001, 1998; and

WHEREAS, the Government is desirous of acquiring an assignment of the invention disclosed in said application and other rights and benefits herein granted; and

WHEREAS, the conditions under which the invention was made are such as to entitle the Government under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest therein, including foreign rights; and

WHEREAS, as to foreign rights, it is the policy of the Government to obtain an option to exercise such rights;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration the receipt of which is hereby acknowledged, I (we) hereby assign and transfer to the United States of America as represented by the Secretary of the Navy the entire right, title, and interest in and to said invention within the United States of America its territories and possessions, and the entire right, title, and interest in and to said application and any continuation, division or substitution thereof, and such Letters Patents as may issue there from and any reissue or extensions thereof, said invention, application and Letters Patent to be held by the United States of America as represented by the Secretary of the Navy to the end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this assignment not been made.

I (we) do hereby also grant unto the Government, the option to take the entire right, title, and interest in the invention and all patent applications or other forms of protection thereon in all countries foreign to the United States of America in which the Government may file, or cause to be filed, applications for Letters Patent or other forms of protection, without payment of any consideration; provided, however, that this grant of an option to take foreign rights in the invention, or applications or other forms of protection thereon, shall have force and effect only as to foreign countries in which an application or other form of protection is filed, or which are designated in a Patent Cooperation Treaty application filed within eight months of the filing date of any application for United States Letters Patent covering the invention, or within eight months from the declassification of the invention, whichever is later, and that all foreign rights not exercised under the option are left to me (us) subject to a nonexclusive, irrevocable, royalty-free license to the Government in any patent or other form of protection which may issue on said invention in any foreign country, including the power to issue sub-licenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government.

I (We) hereby further agree to make, execute, and deliver to the Government, any and all papers, documents, affidavits, statements, or other instruments that may be necessary in the prosecution of the application and of any continuations, division or substitution of the application, or any application for reissue or extension of said Letters Patent, and to assist the Government in every way in protecting the invention as may be requested, provided that any expenses arising through such efforts will be paid by the Government.

IN TESTIMONY WHEREOF, I (we) have set my (our) hand(s) and affixed my (our) seal(s).

13 Feb. 03 (date) Richard D. Kopke (signature) SEAL  
RICHARD D. KOPKE

13 Feb 03 (date) Michael E. Hoffer (signature) SEAL  
MICHAEL E. HOFFER

\_\_\_\_ (date) \_\_\_\_\_ (signature) SEAL