

03-03-2003

U.S. Department of Commerce  
Patent and Trademark Office

RE



EET

102378768

Attorney Docket 036870-5080

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

Attention: Box Assignment

1. Name of conveying parties: **2.25.03**

(1) Roy C. Levitt  
(2) Nicholas C. Nicolaidis  
(3) William A. Kinney  
(4) Steve Jones

Additional names of conveying parties attached?  
☐ Yes ☒ No

2. Name and address of receiving party:

Name: **Genaera Corporation**Street Address: **5110 Campus Drive,  
Plymouth Meeting, Pennsylvania 19462**

Additional names &amp; addresses attached?

☐ Yes ☒ No

3. Nature of conveyance:

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

Execution Dates: (1) **December 18, 2002**; (2) **January 1, 2003**;  
(3) **January 21, 2003**; and (4) **January 30, 2003**.

4. Application numbers or patent numbers:

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

Patent Application No. **10/148,553**Additional numbers attached: ☐ Yes ☒ No

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

Name: **Michael S. Tuscan**Internal Address: **Morgan, Lewis & Bockius LLP  
Intellectual Property Support Unit**Street Address: **1111 Pennsylvania Avenue, N.W.  
Washington DC 20004**6. Total number of applications and patents involved: **1**7. Total fee (37 C.F.R. 3.41): **\$40.00**

- ☐ Enclosed  
☒ Authorized to be charged to deposit account 50-0310

8. Deposit account number: **50-0310**  
Attach duplicate of page if paying by deposit account

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.

**Robert Smyth, Reg. No. 50,801**

Name of Person Signing

*Robert Smyth*  
Signature

**February 25, 2003**

Date

02/28/2003 LMUELLER 00000150 500310 10148553

01 EC:0021 40.00 CH

Total number of pages including cover sheet, attachments and documents: 7

ASSIGNMENT

WHEREAS I/WE, the below named inventors, [hereinafter referred to as Assignors], have made an invention entitled:

**ASTHMA ASSOCIATED FACTORS AS TARGETS FOR TREATING ATOPIC ALLERGIES  
INCLUDING ASTHMA AND RELATED DISORDERS**

for which I filed an application for a:

United States Patent Application on May 30, 2002 (Serial No. 10/148,553); and  
International PCT Application on December 11, 2000 (Serial No. PCT/US00/33526); and  
United States Provisional Patent Application on December 9, 1999 (Serial No. 60/169,959); and

WHEREAS, Genaera Corporation, a corporation of Delaware, whose post office address is 5110 Campus Drive, Plymouth Meeting, Pennsylvania 19462 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/WE, as assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set our hand.

County of \_\_\_\_\_

State of \_\_\_\_\_

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

Roy C. Levitt

Full Name of First Assignor

5110 Campus Drive

Plymouth Meeting, PA 19462

SS. Address



First Assignor's Signature

12.18.02

Date

Names of additional inventors attached:

☒ Yes ☐ No

County of \_\_\_\_\_

State of \_\_\_\_\_

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

Nicholas C. Nicolaides

Full Name of Second Assignor

4 Cider Mill Court

Boothwyn, PA 19061

SS. Address



Second Assignor's Signature

1/1/03

Date

County of \_\_\_\_\_

State of \_\_\_\_\_

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

William A. Kinney

Full Name of Third Assignor

SS. Address

\_\_\_\_\_  
Third Assignor's Signature

\_\_\_\_\_  
Date

County of \_\_\_\_\_

State of \_\_\_\_\_

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

Steve Jones

Full Name of Fourth Assignor

SS. Address

\_\_\_\_\_  
Fourth Assignor's Signature

\_\_\_\_\_  
Date

Names of additional inventors attached:

☐ Yes ☒ No

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NOW THEREFORE, be it known that, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/WE, as assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

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AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set our hand.

County of \_\_\_\_\_

Roy C. Levitt

Full Name of First Assignor

State of \_\_\_\_\_

SS. \_\_\_\_\_  
Address

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
First Assignor's Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

Names of additional inventors attached:

☒ Yes ☐ No

County of \_\_\_\_\_

State of \_\_\_\_\_

Nicholas C. Nicolaides

Full Name of Second Assignor

SS. \_\_\_\_\_  
Address

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Second Assignor's Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

County of \_\_\_\_\_

State of \_\_\_\_\_

William A. Kinney

Full Name of Third Assignor

16 Thompson Mill Road  
Newtown, PA 18940

SS. \_\_\_\_\_  
Address

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

William A. Kinney  
Third Assignor's Signature

\_\_\_\_\_  
Notary Public

1/21/03  
Date

County of \_\_\_\_\_

State of \_\_\_\_\_

Steve Jones

Full Name of Fourth Assignor

SS. \_\_\_\_\_  
Address

Subscribed and sworn to before me  
this \_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Fourth Assignor's Signature

\_\_\_\_\_  
Notary Public

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United States Provisional Patent Application on **December 9, 1999** (Serial No. **60/169,959**); and

WHEREAS, **Genaera Corporation**, a corporation of **Delaware**, whose post office address is **5110 Campus Drive, Plymouth Meeting, Pennsylvania 19462** (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/WE, as assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

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County of \_\_\_\_\_

**Roy C. Levitt**

Full Name of First Assignor

State of \_\_\_\_\_

SS. \_\_\_\_\_  
Address

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
First Assignor's Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

Names of additional inventors attached:

☒ Yes ☐ No

County of \_\_\_\_\_

State of \_\_\_\_\_

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\_\_\_\_\_  
Notary Public

Nicholas C. Nicolaides

Full Name of Second Assignor

4 Cider Mill Court

Boothwyn, PA 19061

SS. Address

  
Second Assignor's Signature

11/1/03  
Date

County of \_\_\_\_\_

State of \_\_\_\_\_

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this \_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

William A. Kinney

Full Name of Third Assignor

SS. Address

\_\_\_\_\_  
Third Assignor's Signature

\_\_\_\_\_  
Date

County of \_\_\_\_\_

State of \_\_\_\_\_

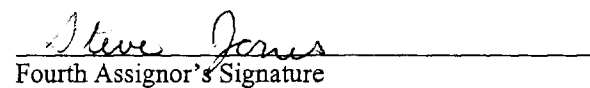
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\_\_\_\_\_  
Notary Public

Steve Jones

Full Name of Fourth Assignor

SS. Address

  
Fourth Assignor's Signature

11/30/03  
Date

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☐ Yes ☒ No