

03-19-2003

Attorney Docket No. 10692V-000620US

## Form PTO-1595

(Rev. 03-01)

OMB No. 0651-0027 (exp. 5/31/2002)



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U.S. Department of Commerce  
U.S. Patent and Trademark Office

Tab settings ⇌ ⇌ ⇌

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

## 1. Name of conveying party(ies):

C. Bruce Ackman

3-17-03

Additional name(s) of conveying parties attached? ☒ Yes ☐ No.

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other: \_\_\_\_\_

Execution Date: 11/22/01 and 11/23/01

## 2. Name and address of receiving party(ies)

Name: Vaxis Therapeutics Corporation

Internal Address: \_\_\_\_\_

Street Address: 116 Barrie Street, Suite 1606City: Kingston, Ontario, K7L 3N6 CanadaAdditional names and addresses attached? ☒ Yes ☐ No
 OFFICE OF PUBLIC RECORDS  
 2003 MAR 17 PM 2:03  
 FINANCE SECTION

## 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): 09/791,127

B. Patent No(s): \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

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

Name: Joseph R. Snyder  
 TOWNSEND AND TOWNSEND AND CREW LLP  
 Two Embarcadero Center, 8<sup>th</sup> Floor  
 San Francisco, California 94111-3834  
 (415) 576-0200

## 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: 20-1430

(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 is true and correct and any attached copy is a true of copy of the original document.

Joseph R. Snyder

Name of Person Signing  
 Atty. Reg. No. 39,381

  
 Signature

March 15, 2002  
 Date

Total number of pages including cover sheet, attachments and document 610

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

03/18/2003 LMEILLER 00000300 201430 09791127

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PATENT  
 REEL: 013850 FRAME: 0435

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)

Michael A. Adams  
Jeremy P.W. Heaton  
Jodan D. Ratz

2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)

3. Additional application number(s) or patent number(s):  
(Continued from Page 1)

A. Patent Application No.(s)

B. Patent No.(s)

## ASSIGNMENT

We, **C. Bruce Ackman, Michael A. Adams, Jeremy P.W. Heaton, and Jordan D. Ratz**, whose full post office addresses are 22 Fox Run Road, Medway, Massachusetts, 2053; 341 Renda Street, Kingston, Ontario, K7M 5X9; 1818 MacAlpine Road, R.R. # 3, Gananoque, Ontario, K0H 2H0; and 44 Westmoreland Road, Kingston, Ontario, K7M 1J5 respectively, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby sell and assign to **Vaxis Therapeutics Corporation**, whose full post office address is 116 Barrie Street, Suite 1606 Kingston, Ontario, K7L 3N6, Canada (hereinafter **Vaxis**) all our rights, title and interest, including priority rights, in and to our invention relating to **Methods and Compositions for Improving Sleep** as set forth in the application for Letters Patent of the United States of America, Serial No. 09/791,127, and as set forth in International Patent Application No. PCT/CA01/00207, filed February 22, 2001, entitled **Method and Compositions for Improving Sleep**, in and for the United States of America, Canada, and all countries foreign thereto in its name or in any name at its election.

We hereby covenant and agree that we will execute or procure any further necessary documents of the title to said invention and Letters Patents; and that we will, at any time, upon the request and at the expense of **Vaxis**, execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patents which may be granted therefor, to **Vaxis**; we will, at any time, upon the request and at the expense of **Vaxis**, testify in any legal proceedings, sign all lawful papers, execute any additional, divisional, substituting, continuing or reissue applications for patents for said invention, or any part or parts thereof, make all rightful oaths and generally do all lawful acts to aid **Vaxis**, its successors, assigns or other legal representatives to obtain and enforce patent protection in said invention in all countries, without further compensation, but at the expense of **Vaxis**, its successors, assigns or other legal representatives.

And we hereby authorize and request the Commissioner of Patents or the Comptroller (as the case may be) to issue any and all Letters Patent for said invention or resulting from said application, or from any division, reissue or extension thereof, to **Vaxis** as our sole assignee.

In testimony whereof I have hereunto set my hand:

this 21<sup>st</sup> day of NOVEMBER 2001

  
C. Bruce Ackman

In testimony where of I have hereunto set my hand:

this \_\_\_\_ day of \_\_\_\_\_ 2001

\_\_\_\_\_  
Michael A. Adams

In testimony where of I have hereunto set my hand:

this \_\_\_\_ day of \_\_\_\_\_ 2001

\_\_\_\_\_  
Jeremy P.W. Houston

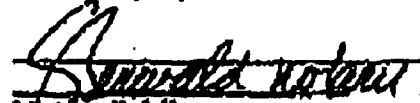
In testimony whereof I have hereunto set my hand:

this \_\_\_\_ day of \_\_\_\_\_ 2001

\_\_\_\_\_  
Jordan D. Ratz

# CERTIFICATE

On this 23rd day of November 2001 appeared before me in person the above  
C. Bruce Ackman and acknowledged the above to be his signature, and that he signed and  
delivered the above instrument as his voluntary act and deed for the purposes herein set forth.

  
Notary Public  
Province of Quebec

City of Kingston )  
Province of Ontario )

On this \_\_\_\_\_ day of November 2001 appeared before me in person the above  
Michael A. Adams and acknowledged the above to be his signature, and that he signed and  
delivered the above instrument as his voluntary act and deed for the purposes herein set forth.

\_\_\_\_\_  
Stephen J. Scribner  
Notary Public  
Province of Ontario

City of Kingston )  
Province of Ontario )

On this \_\_\_\_\_ day of November 2001 appeared before me in person the above  
Jeremy P. W. Heaton and acknowledged the above to be his signature, and that he signed and  
delivered the above instrument as his voluntary act and deed for the purposes herein set forth.

\_\_\_\_\_  
Stephen J. Scribner  
Notary Public  
Province of Ontario

In testimony whereof I have hereunto set my hand:

this \_\_\_\_ day of \_\_\_\_\_ 2001

\_\_\_\_\_  
C. Bruce Ackman

In testimony where of I have hereunto set my hand:

this 22 day of November 2001

  
\_\_\_\_\_  
Michael A. Adams

In testimony where of I have hereunto set my hand:

this 22 day of Nov 2001

  
\_\_\_\_\_  
Jeremy P. W. Heaton

In testimony whereof I have hereunto set my hand:

this 22nd day of November 2001

  
\_\_\_\_\_  
Jordan D. Ratz

## CERTIFICATE

On this \_\_\_\_\_ day of November 2001 appeared before me in person the above  
C. Bruce Ackman and acknowledged the above to be his signature, and that he signed and  
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Notary Public  
Province of Quebec

City of Kingston )  
Province of Ontario )

On this 22 day of November 2001 appeared before me in person the above  
Michael A. Adams and acknowledged the above to be his signature, and that he signed and  
delivered the above instrument as his voluntary act and deed for the purposes herein set forth.



\_\_\_\_\_  
Stephen J. Scribner  
Notary Public  
Province of Ontario

City of Kingston )  
Province of Ontario )

Stephen Joseph Scribner, Notary Public,  
Frontenac Board of Management, limited to the  
attestation of instruments and the taking of affidavits,  
for PARTEQ R & D Innovations.  
Expires January 9, 2004

On this 22 day of November 2001 appeared before me in person the above  
Jeremy P. W. Heaton and acknowledged the above to be his signature, and that he signed and  
delivered the above instrument as his voluntary act and deed for the purposes herein set forth.



\_\_\_\_\_  
Stephen J. Scribner  
Notary Public  
Province of Ontario

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Frontenac Board of Management, limited to the  
attestation of instruments and the taking of affidavits,  
for PARTEQ R & D Innovations.  
Expires January 9, 2004

City of Kingston )  
Province of Ontario )

On this 22 day of November 2001 appeared before me in person the above  
Jordan D. Ratz and acknowledged the above to be his signature, and that he signed and delivered  
the above instrument as his voluntary act and deed for the purposes herein set forth.



Stephen J. Scribner  
Notary Public  
Province of Ontario

Stephen Joseph Scribner, Notary Public,  
Frontenac Board of Management, limited to the  
attestation of instruments and the taking of affidavits,  
for PARTEQ R & D Innovations.  
Expires January 9, 2004



Consumer and  
Ontario Business Services  
**CERTIFICATE**

This is to certify that these articles  
are effective on

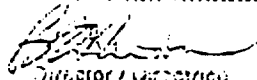
ministère des Services  
aux consommateurs  
et aux entreprises  
**CERTIFICAT**

Ceci certifie que les présents statuts  
entrent en vigueur le

Ontario Corporation Number  
Numéro de la société en Ontario

1203179

**JANUARY 03 JANVIER, 2002**



(4)

Business Corporations Act / Loi sur les sociétés par actions

**ARTICLES OF AMENDMENT  
STATUTS DE MODIFICATION**

1. The name of the corporation is:

*Dénomination sociale de la société:*

V	A	X	I	S		T	H	E	R	A	P	E	U	T	I	C	S		C	O	R	P	O	R	A	T	I	O	N

2. The name of the corporation is changed to (if applicable):

*Nouvelle dénomination sociale de la société (s'il y a lieu):*

C	E	L	L	E	G	Y		C	A	N	A	D	A		I	N	C												

3. Date of incorporation/amalgamation:

*Date de la constitution ou de la fusion:*

1997/03/12

(Year, Month, Day)  
(année, mois, jour)

4. The articles of the corporation are amended as follows:

*Les statuts de la société sont modifiés de la façon suivante.*

To change the name of the Corporation to Cellegy Canada Inc.

5. The amendment has been duly authorized as required by Sections 168 & 170 (as applicable) of the Business Corporations Act.

*La modification a été dûment autorisée conformément à articles 168 et 170 (selon le cas) de la Loi sur les sociétés par actions.*

6. The resolution authorizing the amendment was approved by the shareholders/directors (as applicable) of the corporation on

*La actionnaires ou les administrateurs (selon le cas) de société ont approuvé la résolution autorisant la modification*

~~2001/11/27~~  
(Year, Month, Day)  
(année, mois, jour)

2001/11/27

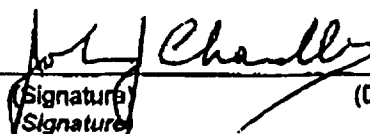
These articles are signed in duplicate.

*Les présents statuts sont signés en double exemplaire.*

**VAXIS THERAPEUTICS CORPORATION**

(Name of Corporation)  
(Dénomination sociale de la société)

By:/Par:

  
(Signature)  
(Signature)

President

(Description of Office)  
(Fonction)