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Form PTO-1595

(Rev. 03/01)

RE

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

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

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

1. Name of conveying party(ies):

EGEA BIOSCIENCES, INC.

5-13-03

2. Name and address of receiving party(ies)

Name: Johnson & Johnson

Internal Address: _____

Street Address: _____

One Johnson & Johnson Plaza

Additional name(s) of conveying party(ies) attached?

☐ Yes☒ No

3. Nature of Conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Option Agreement and Plan of MergerCity: New BrunswickState: New JerseyZip: 08933Execution Date: May 9, 2003

Additional name(s) & address(es) attached:

☒ Yes☐ No

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

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

A. Patent Application No.(s):

09/922,225 60/059,017 09/554,929 10/322,36060/262,693 09/922,221 10/052,582 10/062,188

B. Patent No.(s): _____

Additional numbers attached?

☒ Yes☐ No

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

Name: Covington & BurlingInternal Address: Patent Docketing

Street Address: _____

1201 Pennsylvania Avenue, NW

City: _____

Washington

State: _____

DC

Zip: _____

20004-2401

6. Total number of applications and patents involved: _____

20

7. Total fee (37 CFR 3.41)

\$ 800.00☐ Enclosed☒ Authorized to be charged to deposit account☐ Authorized to be charged to credit card
(Form 2038 enclosed)

8. Deposit account number:

50-0740

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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.*Joseph E. Topmiller, Reg. No. 50,580

Name of Person Signing

Signature

May 13, 2003

Date

Total number of pages including cover sheet, attachments, and documents: 9

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PATENT
REEL: 014067 FRAME: 0063

**RECORDATION FORM COVER SHEET
(continued)****Additional Conveying Party(ies) (1. Continued):****Additional Assignees (2. Continued):**Assignee Name: Bachelor Acquisition Corp.

Internal Address:

Street Address: One Johnson & Johnson PlazaCity: New Brunswick State: New Jersey Zip Code: 08933**Additional Applications and/or Patents (4. Continued):**

Additional Patent Application Numbers

4A. Continued:

10/291,847	09/960,870	09/960,858	60/421,148
10/251,668	PCT/US02/24490	PCT/US98/19312	PCT/US02/01649
	PCT/US02/24488	PCT/US03/02612	PCT/US02/29811

Additional Patent Numbers

4B. Continued:

Additional numbers attached?

☒

Yes

☐

No

**RECORDATION FORM COVER SHEET
(continued)****Additional Applications and/or Patents (4. Continued):**

Additional Patent Application Numbers
4A. Continued:

U.S. Patent Application No.: Pending
Entitled: Apparatus for the Automated
Synthesis of Polynucleotides
Filed: 5/6/2003
Inventors: Keen et al.

Additional Patent Numbers
4B. Continued:

APPENDIX A
EGEA BIOSCIENCES, INC.
PATENTS AND PATENT APPLICATIONS

U.S. Patent Application No.: 09/922,225
Entitled: Nucleic Acids and Encoded Polypeptides Associated with Bipolar Disorders
Inventor: Glen A. Evans
Filed: 8/2/01
Docket No.: P-EA 4672

International Patent Application No.: PCT/US02/24490
Entitled: Nucleic Acids and Encoded Polypeptides Associated with Bipolar Disorder
Inventor: Glen A. Evans
Filed: 8/2/02
Docket No.: FP-EA 5383

U.S. Patent Application No.: 60/059,017
Entitled: A Method for the Complete Chemical Synthesis and Assembly of Genes and Genomes
Inventor: Glen A. Evans
Filed: 9/16/97
Docket No.: P-EA 4767

U.S. Patent Application No.: 09/554,929
Entitled: A Method for the Complete Chemical Synthesis and Assembly of Genes and Genomes
Inventor: Glen A. Evans
Filed: 5/12/00
Docket No.: P-EA 4749

U.S. Patent Application No.: 10/322,360
Entitled: A Method for the Complete Chemical Synthesis and Assembly of Genes and Genomes
Inventor: Glen A. Evans
Filed: 12/17/02
Docket No.: P-EA 5511

NY: 327484-1

International Patent Application No.: PCT/US98/19312
Entitled: Method for the Complete Chemical Synthesis and Assembly of Genes and Genomes
Inventor: Glen A. Evans
Filed: 9/16/98
Docket No.: FP-EA 4768

Australian Patent Application No. 93933/98
Entitled: Method for the Complete Chemical Synthesis and Assembly of Genes and Genomes
Inventor: Glen A. Evans
Filed: 9/16/98
Docket No.: FP-EA 4750

European Patent Application No. 98947064.6
Entitled: Method for the Complete Chemical Synthesis and Assembly of Genes and Genomes
Inventor: Glen A. Evans
Filed: 9/16/98
Docket No.: FP-EA 4751

Australian Patent Application No.: 2003200864
Entitled: Method for the Complete Chemical Synthesis and Assembly of Genes and Genomes
Inventor: Glen A. Evans
Filed: 9/16/98
Docket No.: FP-EA 5675

U.S. Patent Application No.: 60/262,693
Entitled: Computer-directed Assembly of a Polynucleotide Encoding a Target Polypeptide
Inventor: Glen A. Evans
Filed: 1/19/01
Docket No.: P-EA 4748

U.S. Patent Application No.: 09/922,221
Entitled: Method for Assembly of a Polynucleotide Encoding a Target Polypeptide
Inventor: Glen A. Evans
Filed: 8/02/01
Docket No.: P-EA 4854

U.S. Patent Application No.: 10/052,582
Entitled: Computer-Directed Assembly of a Polynucleotide Encoding a Target Polypeptide
Inventor: Glen A. Evans
Filed: 1/18/02
Docket No.: P-EA 5160

International Patent Application No.: PCT/US02/01649
Entitled: Computer-Directed Assembly of a Polynucleotide Encoding a Target Polypeptide
Filed: 1/18/2002
Inventor: Glen A. Evans
Docket No.: FP-EA 5152

International Patent Application No.: PCT/US02/24488
Entitled: Method for Assembly of a Polynucleotide Encoding a Target Polypeptide
Inventor: Glen A. Evans
Filed: 8/2/2002
Docket No.: FP-EA 5384

U.S. Patent Application No.: 10/062,188
Entitled: Methods for Creating Recombination Products Between Nucleotide Sequences
Inventor: Glen A. Evans
Filed: 1/30/2002
Docket No.: P-EA 5008

International Patent Application No.: PCT/US03/02612
Entitled: Methods for Creating Recombination Products Between Nucleotide Sequences
Inventor: Glen A. Evans
Filed: 1/29/2003
Docket No.: FP-EA 5605

U.S. Patent Application No.: 10/291,847
Entitled: Enhanced Variants of Erythropoietin and Methods of Use
Inventors: Evans et al.
Filed: 11/8/02
Docket No.: P-EA 5314

U.S. Patent Application No.: 09/960,870
Entitled: Nanomachine Compositions and Methods of Use
Inventor: Glen A. Evans
Filed: 9/20/2001
Docket No.: P-EA 4738

International Patent Application No.: PCT/US02/29811
Entitled: Nanomachine Compositions and Methods of Use
Inventor: Glen A. Evans
Filed: 9/18/2002
Docket No.: FP-EA 5436

U.S. Patent Application No.: 09/960,858
Entitled: Nanomachine Compositions and Methods of Use
Inventor: Glen A. Evans
Filed: 9/20/2001
Docket No.: P-EA 4974

U.S. Provisional Patent Application No.: 60/421,148
Entitled: Nanomachine Compositions and Methods of Use
Inventor: Glen A. Evans
Filed: 9/20/2001
Docket No.: P-EA 4975

U.S. Patent Application No.: 10/251,668
Entitled: Nanomachine Compositions and Methods of Use
Inventor: Glen A. Evans
Filed: 9/20/2002
Docket No.: P-EA 5441

U.S. Patent Application No.: Pending
Entitled: Apparatus for the Automated Synthesis of Polynucleotides
Inventors: Keen et al.
Filed: 5/6/2003
Docket No.: P-EA 5438

NOTICE OF OPTION AGREEMENT AND PLAN OF MERGER

An **OPTION AGREEMENT AND PLAN OF MERGER** has been entered into and is effective on this 7th day of May, 2003, by and between **JOHNSON & JOHNSON**, a New Jersey corporation, and its subsidiary **BACHELOR ACQUISITION CORP.**, a Delaware corporation, each having a place of business at One Johnson & Johnson Plaza, New Brunswick, New Jersey 08933 (hereinafter collectively referred to as "**OPTIONEE**"), and **EGEA BIOSCIENCES, INC.**, a Delaware corporation, having a place of business at 6759 Mesa Ridge Road, Suite 100, San Diego, California 92121 (hereinafter referred to as "**EGEA**").

WHEREAS, **EGEA** possesses patents and patent applications (hereinafter referred to as "**INTELLECTUAL PROPERTY**") as set forth in Appendix A attached to this **NOTICE**.

WHEREAS, **EGEA** and **OPTIONEE** have entered into the **OPTION AGREEMENT** granting an option to **OPTIONEE** to purchase the **INTELLECTUAL PROPERTY** owned by **EGEA**.

WHEREAS, the parties desire to have a recordable instrument of said **OPTION AGREEMENT**.

WHEREAS, this **NOTICE** will expire automatically on November 7, 2004.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective duly authorized officers or representatives on the respective dates indicated below.

ACCEPTED AND AGREED TO:**JOHNSON & JOHNSON**

By: [Signature]
Title: Assistant Secretary
Date: 5/9/03

EGEA BIOSCIENCES, INC.

By: [Signature]
Title: PRESIDENT
Date: 5/9/03

BACHELOR ACQUISITION CORP.

By: [Signature]
Title: Secretary
Date: 5/9/03