

RECORD

06-09-2003

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
Docket No.: 1946/1H636-US2

5-7-03



To the Honorable Commissioner of Patents and T

documents or copy thereof.

1. Name of conveying party(ies):

Destardi Moye-Sherman; David Gschneider

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

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

Execution Date: March 18, 2003

102467025

Name and address of receiving party(ies):

Name: **Emisphere Technologies, Inc.**

Internal Address:

Street Address: **765 Old Saw Mill River Road**

City: **Tarrytown, State: NY Zip: 10591**

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 application is:

A. Patent Application No.(s)

10/363,722

EXPRESS MAIL CERTIFICATE
Date: 5/7/03 Label No. EV341037992-US
I hereby certify that, on the date indicated above, this paper or
free was deposited with the U.S. Postal Service & that it was
addressed for delivery to the Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450 by Express Mail
Post Office to Addressee service.
D. B. Beck
Name (Print) Signature

Additional numbers attached? ☐ Yes ☒ No

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

Name: Darby & Darby P.C.

Internal Address: Jay P. Lessler

Street Address: Post Office Box 5257

City: New York State: New York Zip: 10150-5257

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:

04-0100

(Attach duplicate copy of this page if paying by deposit account)

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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.

Jay P. Lessler (41,151)
Name of Person Signing

[Signature]
Signature

May 7, 2003
Date

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

3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
P.O. Box 1450
Alexandria, VA 22313-1450

ASSIGNMENT

I, **Destardi Moye-Sherman**, a citizen of the U.S., residing at 51 Saratoga Road, Newburgh, New York 12550 U.S.A. and

I, **David Gschneider**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 U.S.A

(hereinafter called the "ASSIGNORS") have made a certain invention in

**Cyanophenoxy Carboxylic Acid Compounds and
Compositions For Delivering Active Agents**

for which an international application designating the U.S. was filed on **September 5, 2001** under **International Application No. PCT/US01/41984**; and

WHEREAS, **EMISPHERE TECHNOLOGIES, INC.**, a corporation organized and existing under and by the laws of **New York**, having a place of business at **765 Old Saw Mill River Road, Tarrytown, NY 10591** (below called the "Assignee"), is desirous of securing the entire right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions, divisionals, continuations, improvements, reissues or extensions that may be made or granted thereon;

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by the said Assignee, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, the said Assignors have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said Assignee, its successors and assigns, all of our right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions, continuations, improvements, reissues or extensions that may be made or granted on any of them;

TO HAVE AND TO HOLD the same to the full end of the term or terms for which said Letters Patent may be granted, as fully and completely as the same might be held by us had this sale and assignment not been made.

For the consideration aforesaid, we hereby covenant and agree to and with the said Assignees its successors and assigns, that whenever its counsel or representative, or the counsel or representative of its successors or assigns, shall advise that an amendment to, or a division of, or any other proceeding or action in connection with said application or invention, including interference proceedings, is lawful and desirable, or that a reissue or continuation or extension of said Letters Patent is lawful and desirable, we

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will sign all papers and drawings, take all rightful oaths and affidavits, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or continuation or extension of the same, will do all acts necessary or required to secure the said Assignee, its successors, and assigns, the title to and full benefit of all rights hereby assigned, without charge to said Assignees or its successors or assigns, but at its or their expense;

AND the Commissioner of Patents and Trademarks is requested to issue the said Letters Patent, when granted, in accordance with this sale and assignment.

We declare under penalty of perjury under the laws of the United States of America that we have signed this document as our/my own free act and that all of the foregoing is true and correct.


Donald Moye-Sherman
att

DATED: 3/18/03

Witness: Ann Marie McElligott

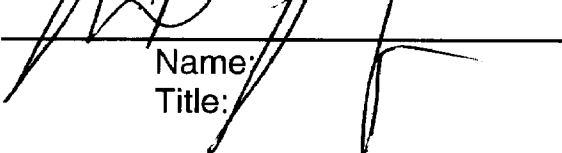

David Gschneidner

DATED: 3/18/03

Witness: Ann Marie McElligott

Signed this 18th day of MARCH, 2003

EMISPHERE TECHNOLOGIES, INC.

By: 
Name:
Title: