

06-27-2003

(Rev. 8-96)

PATENT



and Trademark Office  
thereof.

To the Honorable Commissioner of Patents and Trademarks. Please

1. Name of conveying party(ies): 6-25-03  
Quark Biotech, Inc.

Name: Fujisawa Pharmaceutical Co., Ltd.

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

Street Address: 7-7 doshomachi 3-chome

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

Yes  No

City/State/Zip: Osaka-shi, Chuo-ku, Osaka

541-8514 Japan

3. Nature of Conveyance:

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

Execution Date(s): March 5, 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(s) of the application is(are): March 16, March 28, March 20, 2003

A. Patent Application No.(s) 10/371,725  
filed February 20, 2003

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

Additional numbers attached?  Yes  No

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

Name: John P. White

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

Street Address: Cooper & Dunham LLP

1185 Avenue of the America

City/State/Zip: New York, New York 10036

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: 03-3125

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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.

John P. White  
Name of Person Signing

John P. White  
Signature

June 23, 2003  
Date

Reg. No. 28,678

Total Number of pages including cover sheet, attachments and document: 3

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450 Arlington, VA 22313-1450, Mail Stop Assignments

John P. White  
Reg. No. 28,678  
6/23/03  
Date

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

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**ASSIGNMENT**

WHEREAS, Quark Biotech Inc., a corporation duly organized and existing under and by virtue of the laws of the state of California and having a principle place of business at 10265 Carnegie Avenue, Cleveland, Ohio 44106, USA (the "Assignor"), is the owner of all right, title and interest in and to the provisional application for United States Patent, which is entitled METHODS OF TREATING OR PREVENTING BRAIN ISCHEMIA OR BRAIN INJURY, United States Application No. 10/ 317,725 filed February 20, 2003, and the respective inventions described therein, along with all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of intellectual property by virtue of an assignment of right from Alexander Faerman, Sylvia G. Kachalsky, and Gregory Hirsch-Idelson (collectively, the "Patent Rights"); and

WHEREAS, Fujisawa Pharmaceutical Co., Ltd., a corporation duly organized and existing under and by virtue of the laws of Japan and having a principal place of business at 4-7 doshomachi 3-chome, Osaka-shi, Chuo-ku, Oaska 541-8514, Japan (the "Assignee"), is entitled to an equal and undivided right, title and interest in, and to the Patent Rights.

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration paid by the Assignee, the receipt and sufficiency of which is hereby acknowledged, the Assignor hereby sells, assigns, and transfers to the Assignee, its successors and assigns, an equal and undivided right, title and interest in, and to the Patent Rights, as well as all other patent rights that may be based thereon, including all renewals, divisions, substitutes, reissues, continuations, reissues or extensions thereof, and every priority right that is or may be predicated upon or arise from the Patent Rights, to the full end of the term and any extensions thereof.

Assignor hereby acknowledges that this Assignment carries with it the equal undivided right in the Assignee to apply for and obtain from competent authorities, in all countries of the world, including the United States of America, any and all patents by attorneys and agents of the Assignee's selection and the right to procure the grant of all patents to Assignor and Assignee, as the joint owners of an equal and undivided right, title and interest in and to the Patent Rights.

Assignor hereby further agrees to execute upon reasonable request any other lawful documents and likewise to perform any other lawful acts which may be reasonable and necessary to aid the Assignee, its successors, assignees, and legal representatives, but at its or their expense, to obtain and enforce the Patent Rights.

Assignor hereby covenants that it has an equal undivided right to, in and to the Patent Rights, and hereby authorizes and requests all proper governmental authority to issue all patents or other documents evidencing ownership of the Patent Rights to both the Assignor and the Assignee, their successors and assigns, in accordance with the terms of this Assignment.

QUARK BIOTECH, INC.

By: Judith Abrahams

Name: Judith Abrahams, Ph.D.

Title: Vice President, Intellectual Property

Date: 5 March 2003