


03-05-2004



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Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)		<b>RECORDATION FORM COVER SHEET</b> <b>PATENTS ONLY</b>		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					
<b>1. Name of conveying party(ies):</b> John J. Weidner (12/12/2002), Bruce F. Variano (12/18/2002), Shingai Majuru (12/13/2002), Satej Bhandarkar (01/14/2003), William E. Bay (12/12/2002), and Lynn Shields (12/18/2002) Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<b>2. Name and address of receiving party(ies)</b> Name: <u>Emisphere Technologies, Inc.</u> Internal Address: _____ Street Address: <u>765 Old Saw Mill River Road</u> City: <u>Tarrytown</u> State: <u>NY</u> Zip: <u>10591</u> Additional name(s) & address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>3. Nature of Conveyance:</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>see Box 1, conveying parties</u>			<b>4. Application number(s) or patent number(s):</b> If this document is being filed together with a new application, the execution date of the new application is: _____ A. Patent Application No.(s): <u>10/312,703</u> <u>60/214,893</u> B. Patent No.(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>5. Name and address of party to whom correspondence concerning document should be mailed:</b> Name: <u>S. Peter Ludwig</u> <u>DARBY &amp; DARBY P.C.</u> Internal Address: <u>Atty. Dkt.: 1946/1H377US1</u> Street Address: _____ <u>P.O. Box 5257</u> City: <u>New York</u> State: <u>NY</u> Zip: <u>10150-5257</u>			<b>6. Total number of applications and patents involved:</b> <u>2</u> <b>7. Total fee (37 CFR 3.41)</b> \$ <u>80.00 Pd</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Authorized to be charged to credit card (Form 2038 enclosed) <b>8. Deposit account number:</b> <u>04-3100</u> (Attach duplicate copy of this page if paying by deposit account)		
<b>DO NOT USE THIS SPACE</b>					
<b>9. Statement and signature.</b> <i>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.</i>  <u>Marie Giffillan - 44,085</u>  <u>June 24, 2003</u> Name of Person Signing Signature Date Total number of pages including cover sheet, attachments, and documents: <u>10</u>					

**EXPRESS MAIL CERTIFICATE**  
 6/25/03 340064634-  
 Label No. \_\_\_\_\_  
 I hereby certify that, on the date indicated above, this paper or file 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.  
S. Rojas Signature

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Docket No. 1946/1H377-US1

**ASSIGNMENT**

I, **John J. Weidner**, a citizen of the U. S., residing at 6 Cumberland Court, Peekskill, New York 10591 U.S.A;

I, **Bruce F. Variano**, a citizen of the U. S., residing at ~~88~~ <sup>60 WALTON</sup> Smith Avenue, White Plains, New York 10608 U.S.A;

I, **Shingai Majuru**, a citizen of Zimbabwe, residing at 43 Prospect Street, Brewster, New York 10509 U.S.A;

I, **Sataj Bhankarkar**, a citizen of India., residing at 20 Hasbrouck Road., Apt. C, Garnerville, New York 10923 U.S.A;

I, **William E. Bay**, a citizen of the U. S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 U.S.A. and

I, **Lynn Shields**, a citizen of the U. S., residing at 85 Birch Street, Port Chester, New York 10573 U.S.A

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

**COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS**

for which an international application designating the U.S. was filed on June 29, 2001 under International Application No. PCT/US01/21073; 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

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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 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.

\_\_\_\_\_  
John J. Weidner

DATED: \_\_\_\_\_

Witness: \_\_\_\_\_

  
\_\_\_\_\_  
Bruce F. Variano

DATED: 12/18/02

Witness: Marina E. Variano

\_\_\_\_\_ DATED: \_\_\_\_\_  
Shingai Majuru

Witness: \_\_\_\_\_

\_\_\_\_\_ DATED: \_\_\_\_\_  
Sataj Bhankarkar

Witness: \_\_\_\_\_

\_\_\_\_\_ DATED: \_\_\_\_\_  
William E. Bay

Witness: \_\_\_\_\_

\_\_\_\_\_ DATED: \_\_\_\_\_  
Lynn Shields

Witness: \_\_\_\_\_

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2002

EMISPHERE TECHNOLOGIES, INC.

By: \_\_\_\_\_  
Name:  
Title:

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Docket No. 1946/1H377-US1

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I, **Bruce F. Variano**, a citizen of the U. S., residing at 99 Smith Avenue, White Plains, New York 10605 U.S.A;

I, **Shingai Majuru**, a citizen of Zimbabwe, residing at 43 Prospect Street, Brewster, New York 10509 U.S.A;

I, **Sataj Bhankarkar**, a citizen of India., residing at ~~20 Hasbrouck Road, Apt. C, Garnerville, New York 10923 U.S.A;~~ *261 IRON LAKE DRIVE, EXTENSION 193A-1*

I, **William E. Bay**, a citizen of the U. S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 U.S.A. and

I, **Lynn Shields**, a citizen of the U. S., residing at 85 Birch Street, Port Chester, New York 10573 U.S.A

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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;

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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.

\_\_\_\_\_ DATED: \_\_\_\_\_  
John J. Weidner

Witness: \_\_\_\_\_

\_\_\_\_\_ DATED: \_\_\_\_\_  
Bruce F. Variano

Witness: \_\_\_\_\_

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\_\_\_\_\_

Shingai Majuru

DATED: \_\_\_\_\_

Witness: \_\_\_\_\_

*Sataj Bhandarkar*  
\_\_\_\_\_

Sataj Bhandarkar

SAJAJ BHANDARKAR

DATED: 11/14/03

Witness: *Krista Myers*

Krista Myers

\_\_\_\_\_

William E. Bay

DATED: \_\_\_\_\_

Witness: \_\_\_\_\_

\_\_\_\_\_

Lynn Shields

DATED: \_\_\_\_\_

Witness: \_\_\_\_\_

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2002

EMISPHERE TECHNOLOGIES, INC.

By: \_\_\_\_\_

Name:

Title:

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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.

John F. Weidner  
John F. Weidner

DATED: 12-12-2002

Witness: Ann Marie McEligott

\_\_\_\_\_  
Bruce F. Variano

DATED: \_\_\_\_\_

Witness: \_\_\_\_\_

Shingai Majuru  
Shingai Majuru

DATED: 12/13/02

Witness: Ann Marie McLaughlin

\_\_\_\_\_  
Sataj Bhankarkar

DATED: \_\_\_\_\_

Witness: \_\_\_\_\_

William Elliott Bay  
William E. Bay

DATED: 12/12/02

Witness: Ann Marie McLaughlin

Lynn Enrique Shields  
Lynn Shields

DATED: 12/18/02

Witness: \_\_\_\_\_

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2002

EMISPHERE TECHNOLOGIES, INC.

By: \_\_\_\_\_

Name:

Title:

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