

12/12/03

12-16-2003



SHEET

102624030

Commissioner for Patents: Please record the attached original document(s) or copy(ies).	
1. Name of conveying party(ies): Takara Holdings Inc. (formerly Takara Shuzo Co., Ltd.) Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): Takara Bio Inc. Seta 3-4-1, Otsu, Shiga 520-2193 Japan Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <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: March 28, 2003	
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s).: 08/483.535 B. Patent No(s).: Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name/address of party to whom correspondence concerning document should be mailed: JOHN B. PEGRAM Fish & Richardson P.C. 45 Rockefeller Plaza, Suite 2800 New York, New York 10111	6. Total number of applications/patents involved: 7. Total fee (37 CFR §3.41): \$40 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account. 8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.
DO NOT USE THIS SPACE	
9. Statement and Signature: <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> John B. Pegram Reg. No. 25,198 Name of Person Signing Signature 9 Dec. 2003 Date Total number of pages including coversheet, attachments and document: 5	

30170896.doc

12/15/2003 DBYRNE 00000199 08483535

01 FC:8021

48.00 0P

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Mail Stop Assignment Recordation Services, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 9, 2003
Date of Deposit

Signature

Theresa Mooney
Typed Name of Person Signing Certificate

PATENT
REEL: 014781 FRAME: 0841

CONFIRMING AGREEMENT

This Confirming Agreement effective as of April 1, 2002 ("Effective Date") is made by and between TAKARA HOLDINGS INC. (Corporation No. 1300-01-014981, formerly named Takara Shuzo Co., Ltd.)(hereinafter "TAKARA HOLDINGS"), a Japanese holding company currently having a business address at 20 Naginatahoko-cho, Shijo-dori Karasuma Higashi-iru, Shimogyo-ku, Kyoto, Kyoto 600-8688 Japan, and TAKARA BIO INC. (Corporation No. 1600-01-002490) (hereinafter "TAKARA BIO"), a Japanese company wholly owned by TAKARA HOLDINGS INC., having a place of business at Seta 3-4-1, Otsu, Shiga 520-2193 Japan.

WHEREAS, Takara Shuzo Co., Ltd, which formerly had a place of business at 609, Takenakacho, Fushimi-ku, Kyoto, Kyoto 612-8061, changed its name to TAKARA HOLDINGS INC. and changed its place of business to the current address indicated above, and certain assets of TAKARA HOLDINGS were divided and transferred to related companies, all as of April 1, 2002;

WHEREAS, as a part of that division and transfer, certain patent assets listed in Exhibit A to this Confirming Agreement, have been transferred from TAKARA HOLDINGS to TAKARA BIO;

WHEREAS, prior to the Effective Date, Wayne M. Barnes, Ph.D., of 223 Renaldo Drive, Chesterfield, Missouri 63017, U.S.A., made an assignment of invention and improvements relating to long and accurate polymerase chain reactions as further specified therein (hereinafter "Previous Assignment") to Takara Shuzo Co., Ltd. (now TAKARA HOLDINGS); and

WHEREAS, as a part of the division and transfer, the Previous Assignment and the rights assigned thereby to TAKARA HOLDINGS have been transferred to TAKARA BIO; and

WHEREAS, TAKARA HOLDINGS and TAKARA BIO wish to confirm those transfers and provide a recordable document identifying certain United States patent rights which have been transferred to TAKARA BIO.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

1. We agree that the entire right, title and interest of TAKARA HOLDINGS in and to the patent assets listed in Exhibit A to this Confirming Agreement has been transferred from TAKARA HOLDINGS to TAKARA BIO as of the Effective Date of this Confirming Agreement, including the right to sue for past infringement;

2. We agree that the entire right, title and interest of TAKARA HOLDINGS in and to the Previous Assignment and the rights assigned thereby to TAKARA HOLDINGS have been transferred to TAKARA BIO as of the Effective Date of this Confirming Agreement, including the right to sue for past infringement; and

3. To the extent TAKARA HOLDINGS has any remaining rights thereto, it hereby also assigns to TAKARA BIO, its entire right, title and interest throughout the world in the inventions and improvements which are the subject of this Confirming Agreement, including patents and applications identified in Exhibit A, and any and all other United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; including any extensions, renewals, divisions, continuations, continuations in part, patents of addition and/or reissues and re-exams thereof, and the right to sue for past infringement.

4. The parties each agree for itself and its successors, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other documents necessary or desirable to perfect TAKARA BIO's ownership of the transferred rights and assets.

5. The terms, covenants and provisions of this Confirming Agreement shall inure to the benefit of TAKARA BIO, its successors, assigns and other legal representatives, and shall be binding upon TAKARA HOLDINGS, its successors, assigns and other legal representatives.

IN WITNESS WHEREOF, we have hereto set our hands and seals at Kyoto, Japan, this 28 day of March, 2003.

TAKARA HOLDINGS INC.
(Corporation No. 1300-01-014981)
(formerly named Takara Shuzo Co., Ltd.)

By Hisashi Ohmiya
Typed Name Hisashi OHMIYA
Title President

TAKARA BIO INC.
(Corporation No. 1600-01-002490)

By Ikunoshin Kato
Typed Name Ikunoshin KATO
Title President