

Attorney Docket No. 016325-003710US

Form PTO-1595 (Rev. 06/04)  
OMB No. 0651-0027 (exp. 6/30/2005)U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)/Execution Date(s):**

Kenneth L. Luskey, M.D.

Execution Date(s) October 1, 1999Additional name(s) of conveying party(ies) attached? ☒ Yes ☐ No**3. Nature of conveyance:**

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other \_\_\_\_\_

**2. Name and address of receiving party(ies)**Name: METABOLEX, INC.

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

Street Address: 3876 Bay Center PlaceCity: HaywardState: CaliforniaCountry: US Zip: 94545Additional name(s) & address(es) attached? ☐ Yes ☒ No**4. Application or patent number(s):**☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

US 6,613,802 B1Additional numbers attached? ☐ Yes ☒ No**5. Name and address to whom correspondence concerning document should be mailed:**Name: Frank J. Mycroft

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

TOWNSEND AND TOWNSEND AND CREW LLPStreet Address: Two Embarcadero Center,  
Eighth FloorCity: San FranciscoState: California Zip: 94111-3834Phone Number: (415) 576-0200Fax Number: (415) 576-0300Email Address: fjm@townsend.com**6. Total number of applications and patents involved:**1**7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00**

- ☐ Authorized to be charged by credit card  
☒ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

**8. Payment Information**a. Credit Card Last 4 numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_b. Deposit Account Number 20-1430Authorized User Name Townsend andTownsend and Crew LLP**9. Signature:**

Signature

Frank J. Mycroft

Name of Person Signing Atty. Reg. No. 46,946

Oct 15, 2004  
Date: October 15, 2004

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

5Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, VA 22313-1450

CH \$40.00 201430 6613802

Form PTO-1595  
Recordation Form Cover Sheet  
Patents Only  
Page 2

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)

Jian Luo, M.D.

2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)

3. Additional application number(s) or patent number(s):  
(Continued from Page 1)

A. Patent Application No.(s)

B. Patent No.(s)

60334015 v1

Attorney Docket No.: 16325-003700US

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Kenneth L. Luskey, of 21185 Toll Gate Road, Saratoga, CA 95070, Jian Luo, of 240 Klamath Street, Brisbane, CA 94005, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: USE OF (-)(3-TRIHALOMETHYLPHENOXY) (4-HALOPHENYL) ACETIC ACID DERIVATIVES FOR TREATMENT OF INSULIN RESISTANCE, TYPE 2 DIABETES AND HYPERLIPIDEMIA

Date(s) of execution of Declaration:

Filing Date: June 4, 1999

Application No.: 09/325,997 ; and

WHEREAS, METABOLEX, INC., located at 3876 Bay Center Place, Hayward, CA, 94545, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 10/1/99

  
Kenneth L. Luskey

Assignment  
Attorney Docket No.: 16325-003700US  
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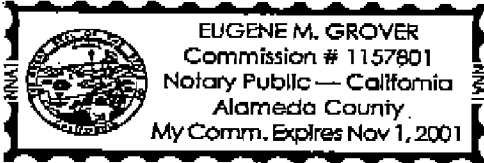
STATE OF CALIFORNIA )  
COUNTY OF ALAMEDA ) ss.

On October 1, 1999, before me, EUGENE M. GROVER, Notary, personally appeared Kenneth L. Luskey, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Eugene M. Grover  
NOTARY PUBLIC


My Commission Expires: Nov. 1, 2001



Assignment

Attorney Docket No.: 16325-003700US

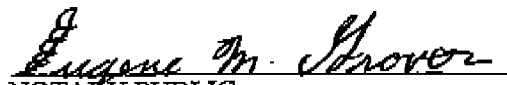
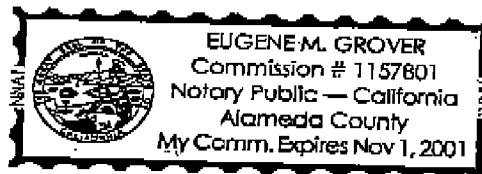
Page 3

Dated: 10/1/99  
Jian LuoSTATE OF CALIFORNIA )  
COUNTY OF ALAMEDA )

ss.

On October 1, 1999, before me, Eugene M. Grover, Notary, personally appeared Jian Luo, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
NOTARY PUBLICMy Commission Expires: Nov. 1, 2001

PA 3014833 v1