

05-21-2004



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1. Total number of pages including cover sheet, attachments and document: 8

2. Name of Conveying Party(ies) and Execution Date(s) of Document(s)
Name(s): (1) Dennis M. Klinman, (2) Bruce Ivins and (1) Daniela Verthelyi
Execution Date(s): (1) April 6, 2004 and (2) April 29, 2004

3. Name and address of receiving party
Name: The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services
Address: National Institutes of Health, Office of Technology Transfer, Suite 325, 6011 Executive Boulevard
City: Rockville State/Country: MD Zip: 20852

4. Nature of Conveyance
[X] Assignment [] Merger [] Security Agreement [] Name Change [] Other:

5. Total number of applications and patents involved: One

6. Total Fee Enclosed (37 C.F.R. § 3.41): \$40.00

7. [X] Check here if any deficiency/overpayment is authorized to be charged to deposit account 02-4550

8. Enter either the Execution date (of the Declaration and Power of Attorney), Application Number, or the Patent Number. Do not enter more than one number for the same patent.
A. [] This document is being filed with a new application. Execution date is:
B. [X] Patent Application No.(s) or Patent No.(s): PCT/US03/34523 filed Oct. 31, 2003

9. Correspondent's name, address, and telephone number
Susan Alpert Siegel, Ph.D.
Klarquist Sparkman, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204-2988
Telephone: 503-226-7391
Facsimile: 503-228-9446

10. [X] Please return the attached postcard to confirm that these items have been received.

11. 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.
Susan Alpert Siegel, Ph.D. Signature Date: May 13, 2004

05/20/2004 DBYRME 00000018 PCT/US03/34523
FC:8021 40.00 OP

cc: Client
Docketing

ASSIGNMENT

We, Dennis M. Klinman, of Potomac, Maryland, a citizen of the United States of America, Bruce Ivins, of Frederick, Maryland, a citizen of the United States of America, and Daniela Verthelyi, of Potomac, Maryland, a citizen of the United States of America, have invented a certain invention entitled METHOD OF PREVENTING INFECTIONS FROM BIOTERRORISM AGENTS WITH IMMUNOSTIMULATORY CpG OLIGONUCLEOTIDES for which the following patent applications have been filed:

U.S. Provisional Patent Application No. 60/422,964, filed on November 1, 2002; and
PCT Application No. PCT/US03/34523 filed on October 31, 2003;

both of which applications are collectively referred to herein as "the patent applications."

We were employed by the Department of Health and Human Services at the time the invention was made. The conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest in the invention, in the United States and all other countries throughout the world.

In consideration of our obligations under Executive Order 10096, and other valuable consideration, we the undersigned, have sold, assigned, and transferred and do sell, assign, and transfer to The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and successors and assigns, the full and exclusive right, title, and interest in the patent applications and invention throughout the United States of America, its territories and dependencies, and all other countries. This includes an assignment of all Letters Patent that may be granted on the invention in the United States of America and all countries throughout the world, and any divisional, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof; and the right to claim priority from the patent applications as provided for by United States law, the Patent Cooperation Treaty, the European Patent Convention, the Paris Convention, or other applicable law.

We authorize and request the issuance of said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest to be held as fully and entirely as the same would have been held by us had this assignment not been made.

We warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied that will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of the present assignment.

We also agree upon reasonable request to communicate to THE GOVERNMENT, its representatives, assigns or agents, any facts known to us respecting the invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, provide all requested documents, and do everything reasonably possible to aid THE GOVERNMENT and its assigns to obtain and enforce proper patent protection for the invention in the United States or any foreign country. These provisions are binding upon our heirs, legal representatives, administrators and assigns.

We have authorized THE GOVERNMENT to file and prosecute the patent applications, as well as any corresponding international or national applications that claim priority from them. THE GOVERNMENT has the right to select attorneys or agents of its choice to prosecute at its discretion the patent applications on its behalf.

We grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Assignment any further information that may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

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

Dated: April 6, 2004

[Signature]
Dennis M. Klinman

STATE OF Maryland)
COUNTY OF Montgomery) ss.

This 6th day of April, 2004, before me personally came the above-named Dennis M. Klinman, who executed the foregoing Assignment in my presence, and who acknowledged to me that it was executed under that person's own free will for the purposes set forth therein.

[Signature]
Notary Public for NIH/FCI
My commission expires:
INGRID G. HARRIS
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires August 21, 2007

[SEAL]

Dated: _____

Bruce Ivins

STATE OF _____)
COUNTY OF _____) ss.

This ___ day of _____, _____, before me personally came the above-named Bruce Ivins, who executed the foregoing Assignment in my presence, and who acknowledged to me that it was executed under that person's own free will for the purposes set forth therein.

Notary Public for _____
My commission expires:

[SEAL]

Dated: 4-6-04

Daniela Verthelyi
Daniela Verthelyi

STATE OF Maryland)
COUNTY OF Montgomery) ss.

This 6th day of April, 2004, before me personally came the above-named Daniela Verthelyi, who executed the foregoing Assignment in my presence, and who acknowledged to me that it was executed under that person's own free will for the purposes set forth therein.

Ingrid Gillian Harris
Notary Public for NINFCU
My commission expires:

[SEAL]

INGRID G. HARRIS
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires August 21, 2007

ASSIGNMENT

We, Dennis M. Klinman, of Potomac, Maryland, a citizen of the United States of America, Bruce Ivins, of Frederick, Maryland, a citizen of the United States of America, and Daniela Verthelyi, of Potomac, Maryland, a citizen of the United States of America, have invented a certain invention entitled METHOD OF PREVENTING INFECTIONS FROM BIOTERRORISM AGENTS WITH IMMUNOSTIMULATORY CpG OLIGONUCLEOTIDES for which the following patent applications have been filed:

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We were employed by the Department of Health and Human Services at the time the invention was made. The conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest in the invention, in the United States and all other countries throughout the world.

In consideration of our obligations under Executive Order 10096, and other valuable consideration, we the undersigned, have sold, assigned, and transferred and do sell, assign, and transfer to The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and successors and assigns, the full and exclusive right, title, and interest in the patent applications and invention throughout the United States of America, its territories and dependencies, and all other countries. This includes an assignment of all Letters Patent that may be granted on the invention in the United States of America and all countries throughout the world, and any divisional, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof; and the right to claim priority from the patent applications as provided for by United States law, the Patent Cooperation Treaty, the European Patent Convention, the Paris Convention, or other applicable law.

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We warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied that will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of the present assignment.

We also agree upon reasonable request to communicate to THE GOVERNMENT, its representatives, assigns or agents, any facts known to us respecting the invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, provide all requested documents, and do everything reasonably possible to aid THE GOVERNMENT and its assigns to obtain and enforce proper patent protection for the invention in the United States or any foreign country. These provisions are binding upon our heirs, legal representatives, administrators and assigns.

We have authorized THE GOVERNMENT to file and prosecute the patent applications, as well as any corresponding international or national applications that claim priority from them. THE GOVERNMENT has the right to select attorneys or agents of its choice to prosecute at its discretion the patent applications on its behalf.

Dated: _____

Daniela Verthelyi

STATE OF _____)

COUNTY OF _____)

ss:

This ___ day of _____, _____, before me personally came the above-named Daniela Verthelyi, who executed the foregoing Assignment in my presence, and who acknowledged to me that it was executed under that person's own free will for the purposes set forth therein.

Notary Public for _____

My commission expires:

[SEAL]