

**ASSIGNMENT RECORDATION FORM COVER SHEET** *Patents Only*

To the Honorable Commissioner of Patents and Trademarks:

Date: **November 8, 2004**  
Attorney Docket No. **5470-147IP**

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- 1) **Robert E. Johnston**  
101 Marin Place  
Chapel Hill, NC 27516
- 2) **Nancy L. Davis**  
132 New Castle Drive  
Chapel Hill, NC 27514-7927
- 3) **Dennis A. Simpson**  
911 New Hope Church Road  
Chapel Hill, NC 27514
- 4) **Mark T. Heise**  
113 Weatherstone Drive, Apt. E  
Chapel Hill, NC 27514

Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies):

**University of North Carolina at Chapel Hill**  
308 Bynum Hall  
Chapel Hill, NC

Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

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

Executed on: 1) February 7, 2002; 2) February 7, 2002;  
3) February 8, 2002; 4) February 8, 2002

4. Application Serial No. **09/367,764**

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Additional numbers attached? Yes  No

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

**Karen A. Magri**  
Myers Bigel Sibley & Sajovac  
P. O. Box 37428  
Raleigh NC 27627

6. Total number of applications and patents involved **1**

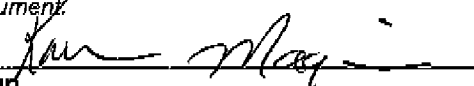
7. Total fee (37 CFR 3.41) **\$40.00**  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: **50-0220**

DO NOT USE THIS SPACE

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.

  
**Karen A. Magri**  
Registration No. 41,965

Date: **11/8/04**

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the Assignment Branch of the United States Patent and Trademark Office to (703) 306-5995 on November 8, 2004.

  
**Sarah Brunmeier**

Total number of pages including cover sheet, attachments and document: **6**

GH \$40.00 500220 09367764

Attorney Docket No. 5470-147IP

**ASSIGNMENT**

THIS ASSIGNMENT, made by us, **ROBERT E. JOHNSTON**, a citizen of the United States of America, residing at 101 Marin Place, Chapel Hill, North Carolina; **NANCY L. DAVIS**, a citizen of the United States of America, residing at 132 New Castle Drive, Chapel Hill, North Carolina; **DENNIS A. SIMPSON**, a citizen of the United States of America, residing at 911 New Hope Church Road, Chapel Hill, North Carolina; **MARK T. HEISE**, a citizen of the United States of America, residing at 113 Weatherstone Drive, Apt. E, Chapel Hill, North Carolina

WITNESSETH: That,

WHEREAS, we are joint inventors of certain new and useful improvements in **SYSTEM FOR THE IN VIVO DELIVERY AND EXPRESSION OF HETEROLOGOUS GENES IN THE BONE MARROW** for which an application for United States Letters Patent has been filed in the United States Patent and Trademark Office as Application No. 09/09/367,764, filed November 12, 1999; and

WHEREAS, **The University of North Carolina at Chapel Hill**, an educational institution having a principal place of business at 308 Bynum Hall, Campus Box 4105, County of Orange, State of North Carolina, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as

fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to promptly communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives; and we hereby instruct, and further covenant and agree to bind our heirs, legal representatives, and assigns, to do same, without further compensation, but at the expense of said assignee or its representatives.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 7<sup>th</sup> day of

~~FEBRUARY~~ FEBRUARY, 2007

Robert E. Johnston (SEAL)  
Robert E. Johnston

STATE OF NORTH CAROLINA )  
  ) ss:  
COUNTY OF ORANGE         )

Before me personally appeared Robert E. Johnston to me known to be the person described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same for the purposes therein stated, this 7<sup>th</sup> day of FEBRUARY, 2007.

Elaine M. Smith  
Notary Public

SEAL

My Commission Expires: Aug. 22, 2005

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 7<sup>th</sup> day of February, 2002

Nancy L. Davis (SEAL)  
Nancy L. Davis

STATE OF NORTH CAROLINA )  
 ) ss:  
COUNTY OF ORANGE )

Before me personally appeared Nancy L. Davis to me known to be the person described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same for the purposes therein stated, this 7<sup>th</sup> day of FEBRUARY, 2002.

Elaine M. Smith  
Notary Public

SEAL

My Commission Expires: Aug. 22, 2005

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 8 day of February, 2002

Dennis A. Simpson (SEAL)  
Dennis A. Simpson

STATE OF NORTH CAROLINA )  
 ) ss:  
COUNTY OF ORANGE )

Before me personally appeared Dennis A. Simpson to me known to be the person described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same for the purposes therein stated, this 8<sup>th</sup> day of FEBRUARY, 2002.

Elaine M. Smith  
Notary Public

SEAL

My Commission Expires: Aug. 22, 2005

