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U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

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Docket No. SYR-HDAC-5005-C2

To the honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Jerome C. Bressi Jason W. Brown Sheldon X. Cao Anthony R. Gangloff Andrew J. Jennings Jeffrey A. Stafford Phong H. Vu Xiao-Yi Xiao Additional name(s) of conveying party(ies) attached?  Yes  No

6-11-04

2. Name and address of receiving party(ies) Name: Syrrx, Inc. Internal Address:

- Assignment Merger Security Agreement Change of Name Other

Street Address: 10410 Science Center Drive

City: San Diego State: CA Zip: 92121

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

Execution Date: 05/07/2004; 05/13/2004; 05/06/2004; 05/10/04; 05/25/2004

4. Application number(s) or patent number(s):

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

A. Patent Application No.(s) 10/803,580

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: David J. Weitz

Syrrx, Inc.

Internal Address:

Street Address: 10410 Science Center Drive

City: San Diego State: CA Zip: 92121

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:

50-2256

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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.

David J. Weitz, Reg. No.: 38,362 Name of Person Signing

Signature

June 7, 2004 Date

Total number of pages including cover sheet, attachments, and documents: 5

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments Washington, D.C. 20231

6/16/2004 ECOOPER 00000107 502256 10003500

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, JEROME C. BRESSI, a citizen of United States of America, JASON W. BROWN, a citizen of United States of America, SHELDON X. CAO, a citizen of United States of America, ANTHONY R. GANGLOFF, a citizen of United States of America, ANDREW J. JENNINGS, a citizen of United Kingdom, JEFFREY A. STAFFORD, a citizen of United States of America, PHONG H. VU, a citizen of United States of America, and XIAO-YI XIAO, a citizen of United States of America, (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled HISTONE DEACETYLASE INHIBITORS for which an application for Letters Patent of the United States of America was filed on March 17, 2004 and assigned U.S. Application Serial No. 10/803,580; and

WHEREAS, SYRRX, INC., a corporation organized and existing under and by virtue of the laws of the **State of Delaware** and having its place of business at **10410 Science Center Drive, San Diego, California 92121** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.


NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademarks and any officials of foreign countries whose duty it is to issue

patents or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at San Diego, California, this 7 day of May, 2004.

  
\_\_\_\_\_  
JEROME C. BRESSI

WITNESS my hand at San Diego, California, this 7 day of May, 2004.

  
\_\_\_\_\_  
JASON W. BROWN

WITNESS my hand at San Diego, California, this 13 day of May, 2004.

  
\_\_\_\_\_  
SHELDON X. CAO

WITNESS my hand at San Diego, California, this 7 day of May, 2004.

  
\_\_\_\_\_  
ANTHONY R. GANGLOFF

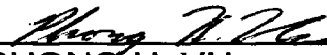
WITNESS my hand at San Diego, California, this 6<sup>th</sup> day of May, 2004.

  
\_\_\_\_\_  
ANDREW J. JENNINGS

WITNESS my hand at San Diego, California, this 10 day of May, 2004.

  
\_\_\_\_\_  
JEFFREY A. STAFFORD

WITNESS my hand at San Diego, California, this 7<sup>th</sup> day of May, 2004.

  
\_\_\_\_\_  
PHONG H. VU

WITNESS my hand at San Diego, California, this \_\_\_\_\_ day of May, 2004.

\_\_\_\_\_  
XIAO-YI XIAO

Patent  
Attorney Docket No. SYR-HDAC-5005-C2

WITNESS my hand at San Diego, California, this \_\_\_\_ day of May, 2004.

\_\_\_\_\_  
ANTHONY R. GANGLOFF

WITNESS my hand at San Diego, California, this \_\_\_\_ day of May, 2004.

\_\_\_\_\_  
ANDREW J. JENNINGS

WITNESS my hand at San Diego, California, this \_\_\_\_ day of May, 2004.

\_\_\_\_\_  
JEFFREY A. STAFFORD

WITNESS my hand at San Diego, California, this \_\_\_\_ day of May, 2004.

\_\_\_\_\_  
PHONG H. VU

WITNESS my hand at San Diego, California, this 25<sup>th</sup> day of May, 2004.

  
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XIAO-YI XIAO