



**PATENT**

Attorney Docket No. 231490  
DHHS Ref. No. E-189-2002/0-US-06

Leydig, Voit & Mayer, Ltd.  
Two Prudential Plaza, Suite 4900  
180 N. Stetson Avenue  
Chicago, Illinois 60601-6780

**ASSIGNMENT**

**WHEREAS, WE**, David J. Waterhouse, Preeya Kapur, Larry K. Keefer, Joseph A. Hrabie, and Frank DeRosa, employees of the Department of Health and Human Services, have invented a certain invention entitled:

POLYDIAZENIUMDIOLATED CYCLIC POLYAMINES WITH  
POLYPHASIC NITRIC OXIDE RELEASE AND RELATED  
COMPOUNDS, COMPOSITIONS COMPRISING SAME AND  
METHODS OF USING SAME

for which invention we have executed an application (provisional or non-provisional) for a U.S. patent, which was filed on November 5, 2004, under U.S. Application No. 10/982,576, and

**WHEREAS**, the conditions under which said invention was made are such as to entitle the Government under Paragraph 1(a) of Executive Order 10096 to the entire right, title, and interest herein, both domestic and foreign; and

**WHEREAS**, the Government of the United States of America (hereinafter referred to as Assignee), is desirous of acquiring the entire domestic and foreign right, title, and interest in and under the invention described in the patent application.

**NOW, THEREFORE**, for good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, we assign and transfer to the Assignee, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to the invention in the U.S. and every foreign country and the entire right, title, and interest in and to the patent application and other such applications (e.g., provisional applications, non-provisional applications, continuations, continuations-in-part, divisionals, reissues, reexaminations, National phase applications, including petty patent applications, and utility model applications) that may be filed in the United States and every foreign country on the invention, and the patents, extensions, or derivations thereof, both foreign and domestic, that may issue thereon, and we do hereby authorize and request the Commissioner of Patents to issue U.S. patents to the above-mentioned Assignee agreeably with the terms of this assignment document.

**WE HEREBY AUTHORIZE** the Assignee to insert in this assignment document the filing date and application number of the application if the date and number are unavailable at the time this document is executed.

**UPON SAID CONSIDERATION**, we convey to the Assignee the right to make application in its own behalf for protection of the invention in the U.S. and countries foreign to the U.S. and to claim

**PATENT****REEL: 015686 FRAME: 0411**

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

under the Patent Cooperation Treaty, the International Convention and/or other international arrangement for any such application the date of the U.S. application (or any other application on the invention) to gain priority with respect to other applications.

WE DO HEREBY COVENANT and agree with the Assignee that we will not execute any writing or do any act whatsoever conflicting with the terms of this assignment document set forth herein, and that we will at any time upon request, without further or additional consideration, but at the expense of the Assignee, execute and deliver such additional assignments and other writings and do such additional acts as the Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this assignment, and render all necessary assistance in making application for and obtaining original, continuation, continuation-in-part, divisional, reissued, reexamined, and National phase patents of the U.S. or of any and all foreign countries on the invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, and by executing statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of all parties hereto.

IN WITNESS WHEREOF, we have hereunder set our hands on the dates shown below.

Date Jan 31, 2005

David J. Waterhouse  
David J. Waterhouse

STATE OF New Jersey )  
COUNTY OF Union ) SS:

On this 31<sup>st</sup> day of JANUARY, 2005, before me, a Notary Public in and for said county, appeared David J. Waterhouse, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

Carmen N. Martinez  
Notary Public

My Commission Expires:

Carmen N. Martinez  
Notary Public of New Jersey  
My Commission Expires April 19, 2008

{SEAL}

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Preeya Kapur

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Preeya Kapur, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

\_\_\_\_\_  
Notary Public

{SEAL}

My Commission Expires: \_\_\_\_\_

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Larry K. Keefer

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Larry K. Keefer, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

{SEAL}

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Joseph A. Hrabie

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Joseph A. Hrabie, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

{SEAL}

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Frank DeRosa

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Frank DeRosa, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

{SEAL}

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

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DHHS Ref. No. E-189-2002/O-US-06

Leydig, Voit & Mayer, Ltd.  
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Chicago, Illinois 60601-6780

**ASSIGNMENT**

**WHEREAS, WE**, David J. Waterhouse, Preeya Kapur, Larry K. Keefer, Joseph A. Hrabie, and Frank DeRosa, employees of the Department of Health and Human Services, have invented a certain invention entitled:

POLYDIAZENIUMDIOLATED CYCLIC POLYAMINES WITH  
POLYPHASIC NITRIC OXIDE RELEASE AND RELATED  
COMPOUNDS, COMPOSITIONS COMPRISING SAME AND  
METHODS OF USING SAME

for which invention we have executed an application (provisional or non-provisional) for a U.S. patent, which was filed on November 5, 2004, under U.S. Application No. 10/982,576, and

**WHEREAS**, the conditions under which said invention was made are such as to entitle the Government under Paragraph 1(a) of Executive Order 10096 to the entire right, title, and interest herein, both domestic and foreign; and

**WHEREAS**, the Government of the United States of America (hereinafter referred to as Assignee), is desirous of acquiring the entire domestic and foreign right, title, and interest in and under the invention described in the patent application.

**NOW, THEREFORE**, for good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, we assign and transfer to the Assignee, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to the invention in the U.S. and every foreign country and the entire right, title, and interest in and to the patent application and other such applications (e.g., provisional applications, non-provisional applications, continuations, continuations-in-part, divisionals, reissues, reexaminations, National phase applications, including petty patent applications, and utility model applications) that may be filed in the United States and every foreign country on the invention, and the patents, extensions, or derivations thereof, both foreign and domestic, that may issue thereon, and we do hereby authorize and request the Commissioner of Patents to issue U.S. patents to the above-mentioned Assignee agreeably with the terms of this assignment document.

**WE HEREBY AUTHORIZE** the Assignee to insert in this assignment document the filing date and application number of the application if the date and number are unavailable at the time this document is executed.

**UPON SAID CONSIDERATION**, we convey to the Assignee the right to make application in its own behalf for protection of the invention in the U.S. and countries foreign to the U.S. and to claim

**PATENT****REEL: 015686 FRAME: 0417**



In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

under the Patent Cooperation Treaty, the International Convention and/or other international arrangement for any such application the date of the U.S. application (or any other application on the invention) to gain priority with respect to other applications.

**WE DO HEREBY COVENANT** and agree with the Assignee that we will not execute any writing or do any act whatsoever conflicting with the terms of this assignment document set forth herein, and that we will at any time upon request, without further or additional consideration, but at the expense of the Assignee, execute and deliver such additional assignments and other writings and do such additional acts as the Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this assignment, and render all necessary assistance in making application for and obtaining original, continuation, continuation-in-part, divisional, reissued, reexamined, and National phase patents of the U.S. or of any and all foreign countries on the invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, and by executing statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of all parties hereto.

**IN WITNESS WHEREOF**, we have hereunder set our hands on the dates shown below.

Date \_\_\_\_\_

\_\_\_\_\_  
David J. Waterhouse

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared David J. Waterhouse, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

\_\_\_\_\_  
Notary Public

{SEAL}

My Commission Expires: \_\_\_\_\_

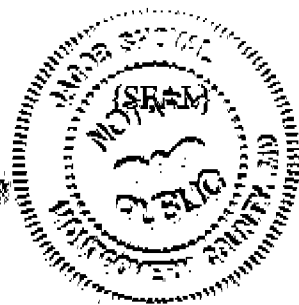
In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date Dec. 8, 2004

P. Kapur  
Preeya Kapur

STATE OF MD )  
 ) SS:  
COUNTY OF MONTGOMERY )

On this 8<sup>th</sup> day of DECEMBER, 2004, before me, a Notary Public in and for said county, appeared Preeya Kapur, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.



Jacob Shoval  
Notary Public

My Commission Expires:



In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Larry K. Keefer

STATE OF \_\_\_\_\_ )

) SS:

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Larry K. Keefer, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

\_\_\_\_\_  
Notary Public

{SEAL}

My Commission Expires: \_\_\_\_\_

=====

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Joseph A. Hrabie

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Joseph A. Hrabie, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

{SEAL}

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Frank DeRosa

STATE OF \_\_\_\_\_ )

) SS:

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Frank DeRosa, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

\_\_\_\_\_  
Notary Public

{SEAL}

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_

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Date \_\_\_\_\_

\_\_\_\_\_  
David J. Waterhouse

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared David J. Waterhouse, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

{SEAL}

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date \_\_\_\_\_

\_\_\_\_\_  
Preeya Kapur

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for said county, appeared Preeya Kapur, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.

{SEAL}

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date 11/30/04

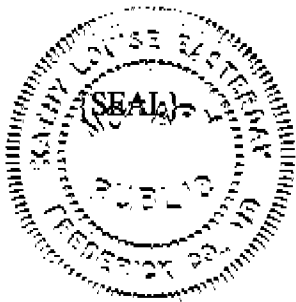
Larry K. Keefer  
Larry K. Keefer

STATE OF Maryland

) SS:

COUNTY OF Frederick

On this 30th day of November, 2004, before me, a Notary Public in and for said county, appeared Larry K. Keefer, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.



Kathy Louise Easterday  
Notary Public

My Commission Expires: 8/01/07

In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490

Date 11/30/04

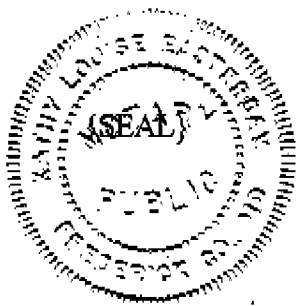
Joseph A. Hrabie  
Joseph A. Hrabie

STATE OF Maryland )

) SS:

COUNTY OF Frederick )

On this 30th day of November, 2004, before me, a Notary Public in and for said county, appeared Joseph A. Hrabie, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.



Kathy Louise Easterday  
Kathy Louise Easterday  
Notary Public

My Commission Expires: 8/01/07

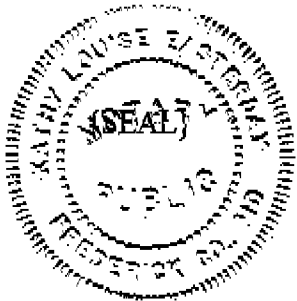
In re Appln. of Waterhouse et al.  
Attorney Docket No. 231490


Date 11/30/04

  
Frank DeRosa

STATE OF Maryland )  
COUNTY OF Frederick ) SS:

On this 30th day of November, 2004, before me, a Notary Public in and for said county, appeared Frank DeRosa, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.



  
Kathy Louise Easterday  
Notary Public

My Commission Expires: 8/01/07