# PATENT ASSIGNMENT

# Electronic Version v1.1

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SUBMISSION TYPE:		NEW ASSIGNMENT				
NATURE OF CONVEYANCE:		ASSIGNMENT				
CONVEYING PART	Y DATA					
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			lame		Execution Date	
Stichting Dienst Lan	ndbouwkundig C	nderzo	pek		10/11/2004	
RECEIVING PARTY	Ó DATA					
Name:	Boehringer I	Boehringer Ingelheim Vetmedica GmbH				
Street Address:	Binger Stras	Binger Strasse 173				
City:	Ingelheim an	Ingelheim am Rhein				
State/Country:	GERMANY					
Postal Code:	D-55216					
Property Type		Number				
Property Type			Number			
Patent Number:		6268199				
Patent Number:		6495138				
Application Number:		10750409				
CORRESPONDENC	CE DATA (801)53	1-9168	3			
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Phone:	801-532-1922					
Email:		ACTurner@TraskBritt.com				
Correspondent Nam Address Line 1:		Allen C. Turner P.O. Box 2550				
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NAME OF SUBMITT	ER:		Allen C. Turner			
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### PATENT ASSIGNMENT

# THIS ASSIGNMENT is made the 11<sup>th</sup> day of October 2004

 Stichting Dienst Landbouwkundig Onderzoek, (the "Assignor") a company whose principal place of business is at (6701 BH) Wageningen, Costerweg 50, The Netherlands;

and

(2) <u>Boehringer Ingelheim Vetmedica GmbH</u>, (the "Assignee"), a private company with limited liability under German law, with its principle place of business at (55216) Ingelheim am Rhein, Binger Strasse no. 173, Germany

#### WHEREAS

The Assignor has agreed to assign to the Assignee the Patents

The parties agree that:

### 1. Interpretation

- 1.1 In this Agreement, the following expressions shall have the following meanings:
  - <u>"Affiliate"</u> means, in relation to a body corporate, any subsidiary or holding company of the body corporate and any subsidiary of any such holding company.

"Patents" means the patents and patent applications whose details appear in annex 1.

### 2. Assignment

- 2.1 The Assignor hereby assigns to the Assignee who accepts, all its right, title and interest in the Patents including, without limitation:
  - all rights to claim priority from the Patents and file patent applications in respect of the inventions disclosed by the Patents;
  - all rights to any continuations, continuations in part, divisions, extensions, amendments, conversions, reissues, re-examinations, renewals or restorations of the Patents

all rights to past damages relating to third party infringement of the Patents;

to hold the same to the Assignee, its successors and assigns absolutely.

#### 3. Consideration

3.1 In consideration for the assignment in clause 2, the Assignee pays to the Assignor the sum of EUR 1 (+ VAT, if applicable), receipt of which is acknowledged by the Assignor.

#### 4. Further Assistance

- 4.1 The Assignor shall do all such things as may be reasonably required by the Assignee in order:
  - (A) to perfect or confirm the Assignee's ownership of the Patents;
  - (B) to ensure that the Assignee is registered as the registered proprietor of the Patents with the relevant patent offices; and

to give the Assignee the full benefit of this Agreement.

- 4.2 The Assignee shall reimburse the Assignor for any reasonable disbursements and costs incurred by the Assignor in complying with the requirements of the Assignee under clause 4.1.
- 5. Law and Jurisdiction
- 5.1 This Agreement shall be governed by and construed in accordance with Dutch law.
- 5.2 In respect of any dispute or disagreement arising under or in connection with this Agreement, each of the parties shall submit to the exclusive jurisdiction of the District Court of The Hague.

**IN WITNESS WHEREOF** the duly authorised representatives of the parties have signed this Agreement on the date first before written.

### EXECUTED by Stichting Dienst Landbouwkundig Onderzoek



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#### STATEMENT BY WITNESS I OF THE ASSIGNOR

I, Prof. Wim Jongen, whose full post office address is Runderweg 6, 8219 PK Lelystad, The Netherlands was personally present and did see Ir. K.J. van Ast execute the within assignment and who is personally known to me to be the person signing such document.

#### STATEMENT BY WITNESS II OF THE ASSIGNOR

I, Dr. Paul Steverink, whose full post office address is Runderweg 6, 8219 PK Lelystad, The Netherlands was personally present and did see Ir. K.J. van Ast execute the within assignment and who is personally known to me to be the person signing such document.

EXECUTED by Boehringer Ingelheim Vetmedica GmbH

ppa. ppa. Huilty thimmell hiber Dr. Albrecht Kissel Dr. Hubert Hummelt Head of Business Development Head of Intellectual Property Rights and **Technological Licensing** 

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### STATEMENT BY WITNESS I OF THE ASSIGNEE

I, Dr. Rainer Bausch, whose full post office address is Binger Straße 173, 55216 Ingelheim am Rhein, Germany was personally present and did see Dr. Albrecht Kissel and Dr. Hubert Hummelt execute the within assignment and who are personally known to me to be the persons signing such document.

### STATEMENT BY WITNESS II OF THE ASSIGNEE

I, H.G.T.J. Jansen, whose full post office address is Parkstraat 107, 2500 GL Den Haag, The Netherlands was personally present and did see Dr. Albrecht Kissel and Dr. Hubert Hummelt execute the within assignment and who are personally known to me to be the persons signing such document.

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# ANNEX 1 : The Patents

Causafive Agent of the Mystery Swine Disease, Vaccine Compositions and Diagnostic Kits

Country	Patent (Application) No.	Filing Date
Austria	E 118352	June 5, 1992
Belgium	0587780	June 5, 1992
Switzerland	0587780	June 5, 1992
Germany	69201441.1	June 5, 1992
Denmark	0587780	June 5, 1992
Spain	0587780	June 5, 1992
France	0587780	June 5, 1992
Great Britain	0587780	June 5, 1992
Greece	0587780	June 5, 1992
Italy	0587780	June 5, 1992
Luxemburg	0587780	June 5, 1992
Monaco	0587780	June 5, 1992
Netherlands	0587780	June 5, 1992
Sweden	0587780	June 5, 1992
Belarus	3469	June 5, 1992
Canada	2,103,460	June 5, 1992
Canada	2,290,906	June 5, 1992
Hungary	218431	June 5, 1992
Japan	3128133	June 5, 1992
South Korea	176265	June 5, 1992
Mexico	194834	June 5, 1992
Poland	176856	June 5, 1992
Russia	2124051	June 5, 1992
Ukraine	27788	June 5, 1992
U.S.A.	5,620,691	November 26, 1993
U.S.A.	6,197,310	November 13, 1996
U.S.A.	6,455,245	May 5, 2000
U.S.A.	10/226,065	August 21, 2002
U <del>.S.A.</del>		
U.S.A.	10/891,444	July 17, 2004

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PRRSV Antigenic Sites Identifying Peptide Sequences of PRRS Virus for use in Vaccines or Diagnostic Assays

Country	Patent (Application) No.	Filing Date
Australia	754938	November 19, 1999
Brazil	PI 9809221-9	November 5, 1999
Canada	2,289,980	November 5, 1999
China	98805821.9	December 6, 1999
Czech Republic	PV 3932-99	November 5, 1999
Europe	98921916.7 (EP 980,387)	December 6, 1999
Hungary	P0002176	November 5, 1999
Japan	10-547938	November 8, 1999
South Korea	99-7010289 (0388257)	November 6, 1999
Mexico	9910185	November 5, 1999
Poland	P336714	November 8, 1999
Russia	2220978	December 3, 1999
Slovakia	PV 1526-99	November 5, 1999
Ukraine	99126600	December 3, 1999
U.S.A.	6,495,138	November 5, 1999

Infectious Clones of RNA Viruses and Vaccines and Diagnostic Assays Derived thereof

Country	Patent (Application) No.	Filing Date
Australia	719991	April 23, 1999
Brazil	PI 9712592-0	April 29, 1999
Canada	2,272,046	April 22, 1999
China	ZL 97180706.X	June 16, 1999
Czech Republic	PV 1564-99	April 30, 1999
Europe	97954491.3 (EP 935,660)	April 23, 1999
Hungary	P9903829	April 30, 1999
Indonesia	ID0007706	April 30, 1999
Japan	10-520321	April 28, 1999
South Korea	99-703788 (0437254)	April 29, 1999
Mexico	993967	April 28, 1999
Malaysia	PI 9705141	October 29, 1997
Philippines	1-1997-58342	October 29, 1997
Philippines	1-2003-000294	June 30, 2003
Poland	P333070	April 30, 1999
Slovakia	PV 547-99	April 23, 1999
Thailand	040372	October 28, 1997
Taiwan	86116150	October 30, 1997
Ukraine	99052951	May 27, 1999
U.S.A.	6,268,199	October 12, 1999
U.S.A.	09/874,626	June 5, 2001
U.S.A.	10/750,410	December 30, 2003
U.S.A.	10/750,409	December 30, 2003
Vietnam	2786	April 29, 1999
South Africa	97/9732	October 29, 1997

# Lapsed Applications

Country

Patent (Application) No.

Filing Date

Australia Europe

9221965 96203024 (EP 839,912)

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Die Übereinstimmung der vorstehenden Kopie mit der Urschrift wird hiermit beglaubigt. Ingelheim am Rhein, den 27. Jap. 2005

RECORDED: 03/16/2005