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Attorney Docket No. 025666-000310US

Form PTO-1595 (Rev. 03/05) OMB No. 0651-0027 (exp. 6/30/2005)

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To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies) Francis C. Zeigler

2. Name and address of receiving party(ies) Name: Orion Biosolutions Inc. Internal Address: Street Address: 1396 Poinsettia Avenue

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

City: Vista State: CA Country: US Zip: 92081

3. Nature of conveyance/Execution Date(s): Execution Date(s) May 10, 2005 Assignment Merger Security Agreement Change of Name Joint Research Agreement Government Interest Assignment Executive Order 9424, Confirmatory License Other

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

4. Application or patent number(s): A. Patent Application No.(s) 11/075,644 60/633,115

This document is being filed together with a new application. B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address to whom correspondence concerning document should be mailed: Name: Kawai Lau Internal Address: TOWNSEND AND TOWNSEND AND CREW LLP Street Address: Two Embarcadero Center, Eighth Floor City: San Francisco State: California Zip: 94111-3834 Phone Number: (415) 576-0200 Fax Number: (415) 576-0300 Email Address: klau@townsend.com

6. Total number of applications and patents Involved: 2

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 80.00 Authorized to be charged by credit card Authorized to be charged to deposit account Enclosed None required (government interest not affecting title)

8. Payment Information a. Credit Card Last 4 numbers Expiration Date b. Deposit Account Number 20-1430 Authorized User Name Townsend and Townsend and Crew LLP

9. Signature: Kawai Lau Signature Date: June 8, 2005 Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: 4

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5895, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, VA 22303-1450

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PATENT REEL: 016306 FRAME: 0453

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Attorney Docket No.: 025666-000310US  
025666-000300US

**ASSIGNMENT OF PATENT APPLICATION**

SOLE

WHEREAS, **Francis C. Zeigler** of 2223 Summerhill Drive, Encinitas, CA 92024, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent and below-identified provisional patent application:

Title of Invention: DETERMINATION OF CELL VIABILITY AND PHENOTYPE

Date(s) of execution of Declaration:

Filing Date: March 8, 2005

Application No.: 11/075,644; and

Title of Invention: DETERMINATION OF CELL VIABILITY AND EXPRESSION PHENOTYPE

Date(s) of execution of Declaration:

Filing Date: December 3, 2004

Application No.: 60/633,115; and

WHEREAS, **Orion Biosolutions Inc.**, located at 1396 Poinsettia Avenue, Vista, CA 92081, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and applications and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and applications and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on same in the United States and all countries throughout the world, and to claim the priority from the applications as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

**PATENT**  
**REEL: 016306 FRAME: 0454**

Assignment

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IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: 5/10/05

*Francis C. Zeigler*  
Francis C. Zeigler

STATE OF \_\_\_\_\_ )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

On June 2, 2005, before me, *Judy Gorton*  
personally appeared Francis C. Zeigler, personally known to me (or proved to me on the  
basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and  
acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on  
the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

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

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