

Form PTO-1595 (Rev. 09/04)  
OMB No. 0651-0027 (exp. 6/30/2005)

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

### RECORDATION FORM COVER SHEET PATENTS ONLY

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)/Execution Date(s):**

Brian Steer

Execution Date(s) June 14, 2005

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

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

Name: Diversa Corporation

Internal Address: \_\_\_\_\_

Street Address: 4955 Directors Place

City: San Diego

State: California

Country: United States Zip: 92121

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

**3. Nature of conveyance:**

- Assignment  Merger
- Security Agreement  Change of Name
- Government Interest Assignment
- Executive Order 9424, Confirmatory License
- Other \_\_\_\_\_

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

This document is being filed together with a new application.

A. Patent Application No.(s)

Ser. No. 10/517,939

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Diversa Corporation

Internal Address: IP Department

Street Address: P.O. Box 910550

City: San Diego

State: California Zip: 92191-0550

Phone Number: 858-526-5419

Fax Number: 858-526-5047

Email Address: afolarin@diversa.com

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

1

**7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40**

- 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 50-0661

Authorized User Name Calvin Fan

**9. Signature:**



Signature

July 15, 2005

Date

Calvin Fan, Reg. No. 38,444

Name of Person Signing

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

5

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

CH \$40.00 500661 10517939

**Additional Names of Conveying Parties**

Attachment to "Recordation Form Cover Sheet" (PTO-1595) for Ser. Nos. 10/517,939

<i>Name</i>	<i>Execution Date</i>
Walter Callen	June 8, 2005
Shaun Healey	June 30, 2005
Geoff Hazlewood	July 13, 2005
Di Wu	June 17, 2005
David Blum	June 14, 2005
Alireza Esteghlalian	July 13, 2005

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Assignment (Joint, PCT)  
PCT/US03/19153  
Atty Ref.: 564462007901 / D1680-2N  
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### ASSIGNMENT (JOINT, PCT)

THIS ASSIGNMENT, by

**Brian Steer** of 1136 Missouri Street, San Diego, California 92109;  
**Walter Callen** of 3469 Stetson Avenue, San Diego, California 92122;  
**Shaun Healey** of 3880 Harding St., #7A, Carlsbad, California 92008;  
**Geoff Hazlewood** of 13041 Caminito Bautizo, San Diego, California 92130;  
**Di Wu** of 11767 Westview Parkway, San Diego, California 92126;  
**David Blum** of 7057 Cowles Mountain Blvd., San Diego, California 92119;  
**Alireza Esteghlalian** of 9245 Regents Road, Apt. M302, La Jolla, California 92037.

(hereinafter referred to as the "Assignors"), witnesseth:

WHEREAS, said Assignors have invented certain new and useful inventions and/or improvements (hereinafter referred to as the "Inventions") set forth in and the subject of an international patent application under the Patent Cooperation Treaty, which includes a designation of the United States of America, entitled

#### **XYLANASES, NUCLEIC ACIDS ENCODING THEM AND METHODS FOR MAKING AND USING THEM**

originally filed as U.S. Provisional Application No. 60/389,299 on June 14, 2002; filed as International Application No. PCT/US03/19153 on June 16, 2003, and as U.S. National Phase Application No. 10/517,939 on December 13, 2004.

WHEREAS,

**Diversa Corporation**, a corporation duly organized under and pursuant to the laws of Delaware and having a mailing address and its principal place of business at 4955 Directors Place, San Diego, California 92121-1609

is desirous of acquiring the entire right, title and interest throughout the world in and to

said Inventions;

said international patent application;

any national or regional phase patent applications from or claiming priority to said international patent application (including applications under the European Patent Convention and national patent applications in the United States of America (including any nonprovisional applications converted to provisional applications, divisionals, continuations and continuations-in-part of said applications, and reissues and reexams), or

Assignment (Joint, PCT)  
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any other application claiming the benefit of priority of said international patent application;  
any Letters Patent that may be issued or granted from or claiming priority to said patent applications by the United States of America (including any nonprovisional applications converted to provisional applications, divisionals, continuations, continuations-in-part, reexaminations, reissues and extensions of said Letters Patent) or by any international, regional or foreign patent-granting authority; and

all related rights arising from said patent applications under the International Convention for the Protection of Industrial Property (including utility model and design protection);

NOW, THEREFORE, in consideration of good, valuable and sufficient consideration, the receipt of which is hereby acknowledged,

said Assignors have and by these presents do sell, assign, transfer and set over unto Diversa Corporation, its successors, legal representatives and assigns (hereinafter collectively referred to as the "Assignee"), the entire and exclusive right, title and interest throughout the world in and to said Inventions, said patent applications, any said Letters Patent, and said related rights to be held, enjoyed by and for the use of said Assignee, to the full end of the term or terms for which each of said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by said Assignors, had this Assignment not been made;

AND for the same consideration, said Assignors hereby covenant and agree to and with said Assignee that, at the time of execution and delivery to said Assignee of these presents,

said Assignors are the sole and lawful owners of the entire right, title and interest throughout the world in and to said Inventions and said international patent application, that the same are unencumbered and that said Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, said Assignors hereby covenant and agree to and with said Assignee, that whenever counsel of said Assignee shall advise that any proceeding in connection with said Inventions, patent applications, Letters Patent and related rights (including interference proceedings) is lawful and desirable;

said Assignors shall sign all papers and documents, take all lawful oaths and do all acts necessary or required for the procurement, maintenance, enforcement or defense of said Letters Patent (including further applications, assignments and preliminary statements), without charge by said Assignors to said Assignee (as Assignors have received consideration for such acts), but at the reasonable cost and expense of said Assignee, to effectuate fully this Assignment;

AND said Assignors hereby request the Director of the U.S. Patent and Trademark Office and/or the Commissioner of Patents to issue said Letters Patent of the United States of America to said Assignee for the sole use of said Assignee.

The Assignors hereby authorize and request the attorney appointed in said international patent application to complete hereafter this Assignment by inserting the serial number and filing date

sd-260960

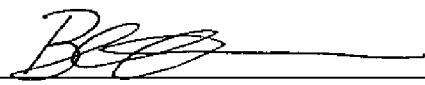
**PATENT**  
**REEL: 016538 FRAME: 0621**

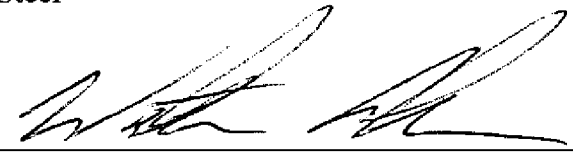
Assignment (Joint, PCT)  
PCT/US03/19153  
Atty Ref.: 564462007901 / D1680-2N  
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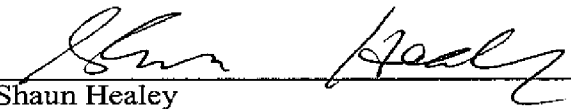
as necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

Each Assignor hereby authorize the Assignee to apply in all countries and patent-granting authorities in each Assignor's name or in the name of the Assignee for said patent applications and said related rights.

Executed and dated by the Assignors as follows:

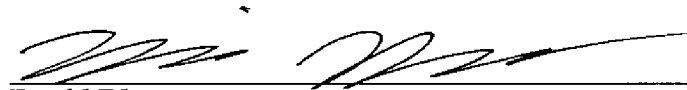
6/14/05   
Date Brian Steer

6/8/05   
Date Walter Callen

6/30/05   
Date Shaun Healey

07-13-2005   
Date Geoff Hazlewood

6/12/05   
Date Di Wu

6/14/2005   
Date David Blum

7/13/05   
Date Afireza Esteghlalian