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PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.1. Name(s) of Conveying party(ies):  
Mark E. Fraley and Robert M. GarbaccioAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Nature of conveyance:

- ☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other:

3. Name and address of receiving party(ies):

Name: MERCK & Co., INC.Internal Address: RY60-30Street Address: P.O. Box 2000City & State: RAHWAY, NEW JERSEYZip/Postal Code: 07065-0907Execution Date: Nov 11, 2003Additional name(s) & addresses attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s) are as follows:

(a) Patent Application No(s). 10/539,531, filed on June 17, 2005

and titled:

MITOTIC KINESIN INHIBITORS

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

Additional numbers attached? ☐ Yes ☒ No

5. Name &amp; address of party to whom correspondence concerning documents should be mailed:

Name: David A. MuthardInternal Address: PATENT DEPARTMENT  
MERCK & CO., INC.  
P.O. BOX 2000 -- RY60-30City & State: RAHWAY, N.J. Zip: 07065-09076. Total no. of applications & patents involved: 17. Total fee (37 CFR 3.41).....\$ 40.00☐ Enclosed☒ The Director is hereby authorized to charge the deposit account number entered below for any fees which may be required or to credit any overpayment.8. Deposit account number: 13-2755

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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 A. Muthard Reg. No. 35,297

Name of Person Signing

Signature

Dec 9, 2005

Date

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

NOTE: Send to Mail Stop Assignment Recordation Services or Fax to Patent and Trademark Office at (571) 273-0140

## CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) David A. Muthard

Signature

Date

Dec. 9, 2005 **PATENT**

700230004

REEL: 017108 FRAME: 0185

Attorney Docket Number 21272YU.S. Serial No. 10/539,531Filing Date 6/17/2005**ASSIGNMENT AND AGREEMENT**

For value received, we, Mark E. Fraley and Robert M. Garbaccio

of 144 E. Hancock Road, North Wales, Pennsylvania 19454; and  
133 Addison Lane, Lansdale, Pennsylvania 19446, respectively,

hereby sell, assign and transfer to MERCK & CO., Inc., a corporation of the State of New Jersey, having an office at Lincoln Avenue,  
City of Rahway, State of New Jersey, and its successors, assigns and legal representatives, our entire right, title and interest, for all  
countries, in and to certain inventions relating to

**MITOTIC KINESIN INHIBITORS**

described in an application for Patents having Attorney Docket Number 21272  
filed on 12/20/2002 ; Serial No. filed on ; Serial No.

and in application(s) Serial No. 60/435,102  
filed on (if applicable),

and all our rights and privileges, including any and all benefits under the International Convention for the Protection of Industrial  
Property, under any and all Patents which may be granted therefor, and under any and all extensions, divisionals, reissues and  
continuations of said application for Patents, including any foreign applications derived therefrom, equivalent thereto or claiming  
priority thereof.

We request that any and all Patents for said inventions be issued to said assignee, its successor, assigns and legal  
representatives, or to such nominees as it may designate.

We agree that, when requested, we will, without charge to said assignee but at its expense, sign all papers, take all rightful  
oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining Patents for said inventions in any  
and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We covenant with said assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed  
are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

We hereby authorize our attorney, David A. Muthard or an attorney with Power of Attorney in this application,  
of the said MERCK & CO., Inc., to insert **Serial No.**, (s) and **Filing Date(s)** of said application(s) when known.

Signed at West Point, Pennsylvania this 11<sup>th</sup> day of November, 2003.

Mark E. Fraley  
Mark E. Fraley

Robert M. Garbaccio  
Robert M. Garbaccio

**PATENT****REEL: 017108 FRAME: 0186 of 2**

Attorney Docket Number 21272YU.S. Serial No. 10/539,531Filing Date 6/17/2005**ASSIGNMENT AND AGREEMENT**COMMONWEALTH OF PENNSYLVANIACounty of Montgomery

} SS.

Personally appeared before me the above-named Mark E. Fraley Robert M. Garbaccio

to me known and known to me to be the person(s) who executed the foregoing instrument and acknowledged said instrument to be their free act and deed this 11<sup>th</sup> day of November, 2003.

Notarial Seal  
Brenda Myers, Notary Public  
Upper Gwynedd Twp., Montgomery County  
My Commission Expires Apr. 11, 2006  
Member, Pennsylvania Association of Notaries

Brenda Myers  
Notary Public

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
County of \_\_\_\_\_

} SS.

Personally appeared before me the above-named

to me known and known to me to be the person(s) who executed the foregoing instrument and acknowledged said instrument to be their free act and deed this \_\_\_\_\_ day of \_\_\_\_\_.

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

U.S. DEPARTMENT OF COMMERCE  
U.S. PATENT AND TRADEMARK OFFICE

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7. Total fee (37 CFR 3.41).....\$ 40.00

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**PATENT**