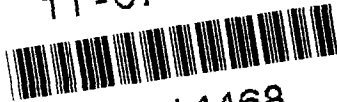


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Date: October 31, 2005

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1. Name of conveying party(ies)/Execution Date(s):

John A. CHIORINI

Execution Date(s): February 22, 2005

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

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

Name: National Institutes of Health (NIH)

Address: 9000 Rockville Pike
Bethesda, Maryland 20892Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
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4. Application number(s) or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

11/005,410 filed December 6, 2004

Additional numbers attached? ☐ Yes ☒ No

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

Name: Arent Fox PLLC
 Street Address: 1675 Broadway
 New York, NY 10019-5820
 Tel. No.: (212) 484-3945
 Fax No.: (212) 484-3990

Email Address: seide.rochelle@arentfox.com

6. Total number of applications and patents involved: One

7. Total fee (37 CFR 1.21(h) & 3.41)..... \$40.00

- ☐ Included in attached check.
☐ Authorized to be charged by credit card.
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a. Credit Card Last 4 Numbers: 1007
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b. Deposit account number: 01-2300 (Attach duplicate copy of this page if paying by deposit account)

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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.

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Name of Person Signing
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Signature

October 31, 2005

Date

Total number of pages including cover sheet, attachments, and document: _____

ATTORNEY DOCKET NO. 14014.3158

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ASSIGNMENT

WHEREAS, I, JOHN A. CHIORINI, an employee of the Department of Health and Human Services, together with LYNDIA S. OSTEDGAARD, MICHAEL J. WELSH, AND MARK F. STINSKI, have invented "TRUNCATED CMV PROMOTER AND VECTORS CONTAINING SAME," for which an application for Letters Patent of the United States, Serial No. 11/005,410, was filed December 6, 2004; and

WHEREAS, I am the applicant(s) named in the above-identified application(s); and

WHEREAS, the conditions under which said invention was made are such as to entitle THE GOVERNMENT OF THE UNITED STATES OF AMERICA [hereinafter 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 is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby assign and transfer to THE GOVERNMENT, as represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the United States and within each and every foreign country in which THE GOVERNMENT elects to file and the entire right, title, and interest in and to such application, and any subsequent application claiming priority to the above-identified application under 35 U.S.C. § 119(e), continuation, continuation-in-part, divisional, reissue, reexamination, or extension thereof, and including priority rights as may be filed in the United States and foreign countries, and such Letters Patent as may be granted to be held by THE GOVERNMENT to the

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end of the term for which the same would have been held by the inventors had this assignment not been made.

I further agree to make, execute, and deliver to **THE GOVERNMENT**, as represented by the Secretary, Department of Health and Human Services, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to assist **THE GOVERNMENT** in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by **THE GOVERNMENT**.

IN WITNESS WHEREOF, I have executed this Assignment this 22 day
of Feb, 2005



JOHN A. CHIORINI (L.S.)

State of Maryland

County of Montgomery

On this 22nd day of February, 2005 before me, a Notary Public, came John A. Chiorini, to me known and known to be the individual described in and who executed the foregoing assignment, and he/she duly acknowledged the same to be his/her free act and deed.



Notary Public

My Commission Expires: 5/1/2007