

RECORDATION FORM COVER SHEET
PATENTS ONLY

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

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:
PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. Conveying party(ies):	
Name(s)	Execution Date(s)
Frank P. DiNinno	Feb 20, 2003
Timothy Allen Blizzard	Feb 20, 2003
Jerry Dwain Morgan II	Feb 20, 2003

2. Nature of conveyance:

Assignment Security Agreement

Merger Change of Name

Other:

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

Name: MERCK & Co., INC.

Internal Address: RY60-30

Street Address: P.O. Box 2000

City & State: RAHWAY, NEW JERSEY

Zip/Postal Code: 07065-0907

Additional name(s) & addresses attached? Yes No

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

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

(a) Patent Application No(s). 10/512,172, filed on October 21, 2004 and titled: ESTROGEN RECEPTOR MODULATORS

(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 & address of party to whom correspondence concerning documents should be mailed:

Name: Nicole M. Beeler

Internal Address: PATENT DEPARTMENT
MERCK & CO., INC.
P.O. BOX 2000 -- RY60-30

City & State: RAHWAY, N.J. Zip: 07065-0907

6. Total no. of applications & patents involved: 1

7. 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

DO NOT USE THIS SPACE

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.

Nicole M. Beeler Reg. No. 45,194 Nicole M Beeler Apr 10, 2006

Name of Person Signing Signature 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) Barbara Muller

Signature Barbara Muller Date April 10, 2006 **PATENT**

CH \$40.00 132755 10512172

Attorney Docket Number 21090Y

U.S. Serial No. 10/512,172

Filing Date 10/21/04

ASSIGNMENT AND AGREEMENT

For value received, we, Frank P. DiNinno, Timothy Allen Blizzard and Jerry Dwain Morgan II,

of 5 Benjamin Court, Old Bridge, New Jersey 08857,
48 Howland Road, Middletown, New Jersey 07748,
107-3B Winding Wood Drive, Sayreville, New Jersey 08872, 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

ESTROGEN RECEPTOR MODULATORS

described in an application for Patents having Attorney Docket Number 21090Y and in application(s) Serial No. 60/375,237 filed on 04/24/2002 ; Serial No. filed on ; Serial No. 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, Nicole M. Wallinger 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 Rahway, New Jersey this 25th day of February, 2003.

Frank P. DiNinno
Frank P. DiNinno

Timothy A. Blizzard
Timothy Allen Blizzard

Jerry Dwain Morgan II
Jerry Dwain Morgan II

Attorney Docket Number 21090Y

U.S. Serial No. 10/512,172


Filing Date 10/21/04

ASSIGNMENT AND AGREEMENT

STATE OF NEW JERSEY
County of UNION } SS.

Personally appeared before me the above-named Frank P. DiNinno, Timothy Allen Blizzard and Jerry Dwain Morgan II

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 20th day of February, 2003.


Karen M. DeGutis Notary Public
KAREN M. DeGUTIS
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 4/17/2007

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