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**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

**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)
Tesfaye Biftu	Apr 27, 2004
Danqing Dennis Feng	Apr 26, 2004
Gui-Bal Liang	Apr 26, 2004
Xiaoxia Qian	Apr 26, 2004

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

2. Nature of conveyance:

Assignment  Security Agreement  
 Merger  Change of Name  
 Other: \_\_\_\_\_

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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

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

(a) Patent Application No(s). 10/556,805, filed on November 14, 2005  
and titled:  
3-AMINO-4-PHENYLBUTANOIC ACID DERIVATIVES AS DIPEPTIDYL PEPTIDASE INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES

(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: Philippe L. Durette  
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

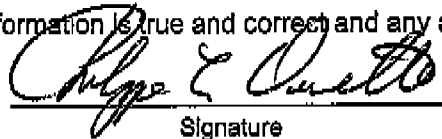
Enclosed  
 The Director is hereby authorized to charge the deposit account number entered below for any fees which may be required or to credit any overpayment.

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.

Philippe L. Durette Reg. No. 35,125  May 12, 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) Pamela Spalding

Signature  Date May 12, 2006

**PATENT**

CH \$40.00 132755 10556805

Attorney Docket Number 21404

U.S. Serial No. 10/556,805

Filing Date November 14, 2005

### ASSIGNMENT AND AGREEMENT

For value received, we, Tesfaye Biftu, Danqing Dennis Feng, Gui-Bai Liang, Xiaoxia Qian

of 3 Ocala Court, Freehold, NJ 07728; 125 Arapaho Trail, Branchburg, New Jersey 08876; 66 Rambling Drive, Scotch Plains, New Jersey 07076; 360W 34th Street - Apt.8T, New York, New York 10001

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

**3-AMINO-4-PHENYLBUTANOIC ACID DERIVATIVES AS DIPEPTIDYL PEPTIDASE INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES**

described in an application for Patents having Attorney Docket Number 21404 and in application(s) Serial No. 60/470,564 filed on 05/14/2003 ; 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, PHILIPPE L. DURETTE 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 20<sup>th</sup> day of April 2004.

Danqing D. Feng  
Danqing Dennis Feng

Gui-Bai Liang  
Gui-Bai Liang

Xiaoxia Qian  
Xiaoxia Qian

ASSIGNMENT AND AGREEMENT

STATE OF NEW JERSEY }  
County of UNION } SS.

Personally appeared before me the above-named Danqing Dennis Feng Xiaoxia Qian Gui-Bai Liang

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 26<sup>th</sup> day of April, 2004.

Denise K Brown  
Denise K. Brown Notary Public  
DENISE K. BROWN  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 12/19/2006

Signed at Rahway, New Jersey this 27<sup>th</sup> day of April, 2004.

Tesfaye Biftu  
Biftu

State of New Jersey }  
County of Union } SS.

Personally appeared before me the above-named Tesfaye Biftu

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 27<sup>th</sup> day of April, 2004.

Denise K Brown  
Denise K. Brown Notary Public  
DENISE K. BROWN  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 12/19/2005