

Form PTO-1595 (Rev. 08/05)
OMB No. 0651-0027 (exp. 6/30/2006)

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):

Merck Patent GmbH

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

3. Nature of conveyance/Execution Date(s):

Execution Date(s): August 15, 2006

- ☒ Assignment ☐ Merger ☐ Change of Name
☐ Security Agreement ☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Tioga Pharmaceuticals, Inc.

Internal Address: _____

Street Address: _____

c/o Forward Ventures
9393 Towne Centre Drive, Suite 200

City: San Diego

State: California

Country: _____ Zip: 92121

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

4. Application or patent number(s):

A. Patent Application No.(s)

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

B. Patent No.(s)

5,532,266

Additional numbers attached? ☐ Yes ☒ No

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

Name: James J. Mullen, III
MORRISON & FOERSTER LLP

Internal Address: Atty. Dkt.: 613242000101

Street Address: 12531 High Bluff Drive, Suite 100

City: San Diego

State: CA Zip: 92130-2040

Phone Number: (858) 720-7940

Fax Number: (858) 720-5125

Email Address: jrmullen@mofo.com

6. Total number of applications and patents involved:

1

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

- ☐ 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 03-1952
Authorized User Name James J. Mullen, III

9. Signature:

 _____
Signature _____ Date August 31, 2006

James J. Mullen, III - 44,957
Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: 5

Attorney Docket No.: 613242800000

ASSIGNMENT

THIS ASSIGNMENT, by Merck Patent GmbH on behalf of Merck KGaA (hereinafter referred to as the assignor), both companies organized under the laws of Germany with their principal places of business at Frankfurter Strasse 250, D-64293 Darmstadt, Germany, witnesseth:

WHEREAS, said assignor is the sole and exclusive owner by assignment, of the U.S. Patents and applications for Letters Patent of the United States, PCT applications, and foreign priority applications, the Patent and application serial numbers of which are listed on Exhibits A – H, attached hereto; and

WHEREAS, Tioga Pharmaceuticals, Inc., a corporation organized under the laws of Delaware, and having its principal place of business at c/o Forward Ventures, 9393 Towne Centre Drive, Suite 200, San Diego, California 92121 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, PCT applications, and foreign priority applications, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of and in exchange for the sum of Ten Dollars (\$10.00) to be paid by assignee and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignor hereby ratifies and confirms that it has sold, assigned, transferred and set over, and by these presents further does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignor, had this sale and assignment not been made.

AND for the same consideration, said assignor hereby covenants and agrees to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignor is the sole and lawful owner of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignor has 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 assignor hereby covenants and agrees to and with said assignee, its successors, legal representatives and assigns, that said assignor will, whenever

Attorney Docket No.: 613242800000

counsel of said assignee, or the counsel of its successor, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignor hereby requests the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Assignor hereby grants to the law firm of Morrison & Foerster the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this assignment.

August 15, 2006

Date


Merck Patent GmbH

By 
(signature)

Name Dr. Jürgen Benz
(printed)

Title Senior Patent Advisor

Witness

By 
(signature)

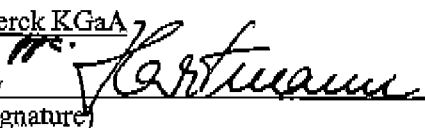
Name Dr. Colin Kahrs
(printed)

Title Senior Patent Advisor

Attorney Docket No.: 613242800000

August 15, 2006
Date

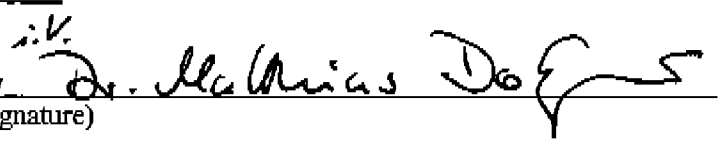
Merck KGaA

By 
(signature)

Name Dr. Arno Hartmann
(printed)

Title Head of Patents Pharmaceuticals (Senior Director)

Witness


By 
(signature)

Name Dr. Matthias Dotzauer
(printed)

Title authorized employee (Senior Patent Advisor)

August 15, 2006
Date

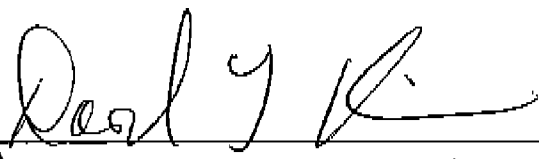
Tioga Pharmaceuticals, Inc.

By 
(signature)

Name David Urso
(printed)

Title Chief Business Officer

Witness

By 
(signature)

Name David T. Kashni
(printed)

Title _____

Attorney Docket No. 613242800000

EXHIBIT A

The patents and applications that are being assigned from Merck Patent GmbH to Tioga Pharmaceuticals, Inc. are:

Application No.	Patent No.	Filing Date	Title
USSN 08/057,801	Abandoned	May 7, 1993	ACRYLACETAMIDES
USSN 08/453,811	U.S. Pat. No. 5,532,266	May 30, 1995	ACRYLACETAMIDES
DE 4215213.5	----	May 9, 1992	

MORRISON | FOERSTER

12531 HIGH BLUFF DRIVE
SUITE 100
SAN DIEGO
CALIFORNIA 92130-2040

TELEPHONE: 858.720.5100
FACSIMILE: 858.720.5125
WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.

DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY

TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

TO:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office Mail Stop Assignment Recordation Services	(571) 273-0140	(571) 272-3350

FROM: James J. Mullen III, Ph.D., Reg. No. 44,957 **DATE:** August 31, 2006

Number of pages with cover page: 6	Original or hard copy to follow if this box is checked <input type="checkbox"/> .
------------------------------------	--------------------------------------------------------------------------------------

Preparer of this slip has confirmed that facsimile number given is correct: 9957/dxb6

If you do not receive all pages, please call (858) 720-7954 as soon as possible.

CAUTION - CONFIDENTIAL

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (858) 720-7954 and send the original transmission to us by return mail at the address below.

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

Comments:

ATTORNEY DOCKET: 613242000101
PATENT NO.: 5,532,266
ISSUE DATE: July 2, 1996
INVENTOR(S): Rudolf GOTTSCHLICH et al.
TITLE: ACRYLACETAMIDES

Papers attached:

1. Recordation Form Cover Sheet (1 page)
2. Executed Assignment document (4 pages)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
DIANE BLEVINS AT (858) 720-7954 AS SOON AS POSSIBLE

SD-333565

RECORDED: 08/31/2006

PATENT
REEL: 018224 FRAME: 0381