

Docket No.: 38484-161 (BYRK-22)

FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0851-0027 (exp. 5/31/2002)  
P08/REV04

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## PATENTS ONLY

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To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Gary H. Krauth  
David J. Ledden

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: October 23, 2006

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

Name: Bayer HealthCare LLC

Internal Address: \_\_\_\_\_

Street Address: 511 Benedict AvenueCity: Tarrytown State: NY ZIP: 10591Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

Filing Date

B. Patent No.(s)

10/557,300

November 18, 2005

Additional numbers attached? ☐ Yes ☒ No

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

Name: Toby H. Kusmer, P.C.Internal Address: McDermott Will & Emery LLPStreet Address: 28 State StreetCity: Boston State: MA ZIP: 02109

## 6. Total number of applications and patents involved:

1

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

- ☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account  
☒ Authorized to be charged to deposit account

## 8. Deposit account number:

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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.

Toby H. Kusmer, P.C.

Name of Person Signing

Signature

Date

3

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

PATENT

Mail documents to be recorded with required cover sheet information to:

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700294546

REEL: 018461 FRAME: 0666

**ASSIGNMENT OF PATENT RIGHTS**

We, Gary H. Krauth of 33 Larkin Lane, Hopedale, MA 01747 David J. Ledden of 11 Little Tree Road, Medway, MA 02053, having invented improvements in NATIVE ANALYTE AS A REFERENCE IN LATERAL FLOW ASSAYS , and having this date executed an application for United States patent describing the same and based thereon (authorizing our agent(s) and attorney(s), who are authorized to prosecute said application, to here insert the filing date and serial number of said application, when known, Serial No. 10/557,300, filed November 18, 2005), for good and valuable consideration, receipt of which is hereby acknowledged from Bayer HealthCare LLC, a Delaware Corporation with offices at 511 Benedict Avenue, Tarrytown, NY 10591, and hereinafter referred to as the Assignee (which term shall include the successors and assigns), do hereby sell, assign and transfer to the Assignee our entire right, title, and interest, in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto, in and to and under said application (which term shall include hereinafter where the context so admits all divisional, continuing, reissue and other patent applications based thereon) and all inventions (which term shall include each and every such invention, or any part thereof) therein described, and any and all patents and like rights of exclusion (including extensions thereof) of any country which may be granted on or for said inventions or on said application.

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty and all other treaties of like purpose in respect of said inventions and said application, and we do hereby authorize the Assignee to apply in our names or in their own name (in a manner to be agreed upon by the Assignee) or their designees, for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention, Treaty or any such other Convention or Treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation any power of attorney, assignment, original, divisional, continuing, reissue or other application or applications for patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and the corresponding Official of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

And we do hereby jointly and severally covenant for ourselves and for our respective legal representatives and agree with the Assignee that we have granted no right or license to make, use or sell said inventions to anyone except the Assignee, that prior to the execution of this deed our right, title and interest in and to said inventions has not been otherwise encumbered by us, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.

Gary H. Krauth  
Gary H. Krauth

State of Massachusetts  
County of D.S.A. ss.

Before me this 23 day of October, 2006, personally appeared Gary H. Krauth, and acknowledged the foregoing instrument to be his or her free act and deed.

Dorinda C. Copen  
Notary Public

SEAL

Exp: July 5. 2007

David J. Ledden  
David J. Ledden

State of MASSACHUSETTS  
County of USA ss.

Before me this 23 day of OCTOBER, 2006, personally appeared David J. Ledden, and acknowledged the foregoing instrument to be his or her free act and deed.

Dorinda C. Copen  
Notary Public

SEAL

Exp: July 5. 2007

BYRK-22 (38484-161)

McDermott Will & Emery LLP  
28 State Street  
Boston, MA 02109  
(617) 535-4000

# McDermott Will & Emery LLP

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan  
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## FACSIMILE

**Date:** October 30, 2006

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<i>Sent By:</i>	Cynthia Joseph	<i>Direct Phone:</i>	617.535.4111
<i>Client/Matter/Tkpr:</i>	38484-161/5496	<i>Original to Follow by Mail:</i>	No
		<i>Number of Pages, Including Cover:</i>	5

**Re:** In re Application of: Gary H. Krauth, et al.  
Serial No.: 10/557,300  
Filing Date: June 3, 2004  
Title: Native Analyte As A Reference In Lateral Flow Assays  
Docket No.: 38484-161 (BYRK-22)

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28 State Street Boston, Massachusetts 02109-1775 Telephone: 617.535.4000

RST99 1521225-1.038484.0161

**PATENT**  
**REEL: 018461 FRAME: 0669**

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Patent of:** Gary H. Krauth, et al.  
**Serial Number(s):** 10/557,300  
**Filing Date:** June 3, 2004  
**Title:** Native Analyte As A Reference In Lateral Flow Assays  
**Docket Number:** 38484-161 (BYRK-22)

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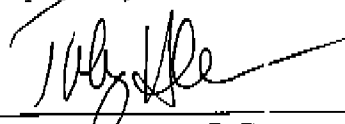
## TRANSMITTAL LETTER

Enclosed herewith for filing in the above-identified patent please find the following:

1. Assignment of Patent Rights; and
2. Recordation Form Cover Sheet.

In connection with the foregoing matter, please charge the filing fees to Deposit Account Number 50-1133.

Respectfully submitted,

  
\_\_\_\_\_  
Toby H. Kusmer, P.C.  
Registration Number 26,418  
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Boston, MA 02109-1775  
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## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted, via Facsimile No. 571.273.0140, to Mail Stop Assignment Recordation Services, Director of the US Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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\_\_\_\_\_  
Cynthia Joseph