

Form PTO-1595 (Rev. 07/05)
OMB No. 0651-0027 (exp. 6/30/2008)

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)

Genometrix, Incorporated, and
Genometrix Genomics, Incorporated

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

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

Execution Date(s) February 24, 2003

- Assignment Merger
- Security Agreement Change of Name
- Joint Research Agreement
- Government Interest Assignment
- Executive Order 9424, Confirmatory License
- Other Bill of Sale

2. Name and address of receiving party(ies)

Name: Genomics USA Inc.

Internal Address: _____

Street Address: 3623 Avey Court

City: Pearland

State: TX

Country: United States of America Zip: 77584

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

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)
USPN 10/193,938

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Dr. Benjamin Aaron Adler

Internal Address: _____

Street Address: 8011 Candle Ln.

City: Houston

State: TX Zip: 77071

Phone Number: 713/270-5391

Fax Number: 713/270-5361

Email Address: BADLER1@houston.rr.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 9222
Expiration Date 01/09

b. Deposit Account Number _____

Authorized User Name _____

9. Signature:



3/14/07
Date

Benjamin Aaron Adler, Ph.D., J.D.
Name of Person Signing

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

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

OP \$40.00 10193938

**BILL OF SALE AND CONVEYANCE
FOR GENOMETRIX, INCORPORATED
AND
GENOMETRIX GENOMICS, INCORPORATED**

BILL OF SALE AND CONVEYANCE (this "*Bill of Sale*"), made, executed and delivered effective February 24, 2003 by Genometrix, Incorporated, a Delaware corporation ("*Genometrix*"), Genometrix Genomics, Incorporated, a Delaware corporation ("*Genomics*") and together with Genometrix, the "*Seller*") to Genomics USA Inc., a Texas corporation, or its assigns (the "*Buyer*").

Delaware J. R. [Signature]

RECITALS:

- A. Seller was engaged in the business of providing high throughput genomic services and information (the "*Business*").
- B. Genometrix and Genomics are currently reorganized debtors in Case No. 01-42631-H5-11, captioned in *In re Genometrix, Incorporated and Genometrix Genomics, Incorporated* (the "*Bankruptcy Case*"), under a confirmed Plan of Liquidation dated as of September 24, 2002 in the United States Bankruptcy Court for the Southern District of Texas, Houston Division (the "*Bankruptcy Court*").
- C. Seller desires to execute and deliver to Buyer this instrument evidencing the sale, conveyance, assignment, transfer and delivery to the Buyer of Seller's entire rights, title and interest in certain assets referenced in Schedule A attached hereto (the "*Purchased Assets*").
- D. Buyer agrees to pay \$5,500 to Seller for the Purchased Assets and payment shall be made at closing.

AGREEMENT:

In consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Buyer shall purchase from Seller, and Seller shall sell, transfer, convey, assign and deliver to Buyer, free and clear of any and all liens, claims, interests, encumbrances and other Liabilities pursuant to Section 363 of the Bankruptcy Code, all right, title and interest of Seller in and to the Purchased Assets.

THE PURCHASED ASSETS ARE SOLD "AS IS, WHERE IS", AND, EXCEPT AS EXPRESSLY PROVIDED IN THIS BILL OF SALE AND CONVEYANCE, SELLER EXPRESSLY DISCLAIMS ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND OR NATURE, EXPRESS OR IMPLIED, AS TO THE TITLE, OR VALUE OF THE PURCHASED ASSETS.

Seller shall from time to time promptly execute and deliver all such instruments and take all such action as Buyer may reasonably request in order further to effectuate the purposes of this instrument.

FROM :GUSA

FAX NO. :2814899724

Feb. 01 2007 08:15PM PZ

Nothing in this Bill of Sale and Conveyance, express or implied, is intended or shall be construed to confer upon, or give to, any person other than Buyer any remedy or claim under or by reason of this Bill of Sale and Conveyance or any agreements, terms, covenants or conditions hereof, and all the agreements, terms, covenants and conditions in this instrument contain shall be for the sole and exclusive benefit of Buyer and its successors and permitted assigns.

This Bill of Sale and Conveyance shall be construed and enforced in accordance with the laws (other than the conflict of law rules) of Texas.

This Bill of Sale and Conveyance may be executed in one or more counterparts, each of which shall be deemed an original but all of which together will constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Bill of Sale and Conveyance as of the date and year first above written.

GENOMETRIX:

GENOMETRIX, INCORPORATED
a Delaware corporation

By: David Jordan
Name: David Jordan
Title: Operating Plan Agent

BUYER:

Delaware
Genomics USA Inc., a Texas corporation

By: Rahul Mitra
Name: Rahul Mitra
Title: President and CEO

GENOMICS:

GENOMETRIX GENOMICS,
INCORPORATED,
a Delaware corporation

By: David Jordan
Name: David Jordan
Title: Operating Plan Agent

SCHEDULE A

U.S. Patent Application No. 10/193,938 entitled "METHODS AND DEVICES BASED UPON A NOVEL FORM OF NUCLEIC ACID DUPLEX ON A SURFACE" filed July 11, 2002 based on a provisional application entitled "METHODS AND DEVICES BASED UPON A NOVEL FORM OF NUCLEIC ACID DUPLEX ON A SURFACE" filed July 11, 2001 as Serial No. 60/304,500, and any all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States which may be issued on any said applications, and any reissues thereof, and in and to any applications for Letters Patent filed in foreign countries for said invention or improvements including all priority rights, and any and all Letters Patent which may be granted in foreign countries.

▲#34457 00A146.0162

ASSIGNMENT AND AGREEMENT

For and in consideration of valuable considerations moving at or before the ensembling and delivery of these presents, the receipt of which is hereby acknowledged, and intending to be legally bound, we, GENOMETRIX GENOMICS, INCORPORATED, a Delaware corporation ("Genometrics") and GENOMETRIX, INCORPORATED., a Delaware corporation ("Genometrix" and together with Genometrics, the "Assignor"), currently reorganized debtors in Case No. 01-42631-H5-11 captioned *In re Genometrix, Incorporated and Genometrix Genomics, Incorporated* under a confirmed Plan of Liquidation dated as of September 24, 2002 in the United States Bankruptcy Court for the Southern District of Texas, Houston Division, and having a place of business at 3408 Albans, Houston, Texas 77005, sell, assign and transfer to GENOMICS USA, INC., a corporation organized and existing under the laws of the state of ^{Delaware} ~~Texas~~, having a place of business at 3623 Avey Court, Pearland TX 77584 (the "Assignee"), and its successors, assigns and legal representatives, our entire rights, title and interest in and to the invention and any improvements thereon for the patent properties consisting of a Provisional Application for Letters Patent of the United States entitled "METHODS AND DEVICES BASED UPON A NOVEL FORM OF THE NUCLEIC ACID DUPLEX ON A SURFACE", filed July 11, 2001 as Serial No. 60/304,500 and a Nonprovisional Application for Letters Patent of the United States entitled "METHODS AND DEVICES BASED UPON A NOVEL FORM OF NUCLEIC ACID DUPLEX ON A SURFACE", filed July 11, 2002 as Serial No. 10/193,938 (patent properties), and all the rights and privileges, including the right to claim priority based on said patent properties, and under any and all Letters Patent which may be granted therefore, and all our rights, title and interest in and to every patent application filed or to be filed on the inventions of the subject patent properties in any other country or patent organization, including continuations, divisions, renewals, revivals, and any substitute applications of the patent properties, and any and all patents which may issue thereon, and any reissues, pipelines and extensions, and governmental exclusivity rights of the same, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted.

NY02:401856.1

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We authorize and request competent authorities to grant and issue any and all patents on said inventions to said assignee or its successor, assigns and legal representatives, or to such nominees as said assignee 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 invention in any and all countries and for vesting title thereto in said assignee, its successors, assigns, 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 I/we have full right to convey the same as herein expressed.

AP34457 00A146.0162
In witness thereof, the parties hereto agree to accept the terms of this assignment.

GENOMETRIX GENOMICS, INCORPORATED

By: David Jordan
Operating Plan Agent

Signature: David Jordan Date: 2/24/03

GENOMETRIX, INCORPORATED

By: David Jordan
Operating Plan Agent

Signature: David Jordan Date: 2/24/03

GENOMICS USA, INC.

By: Rahul Mitra
President and CSO

Signature: Rahul Mitra Date: 2/24/2003

AP34457 00A146.0162

Notary Certification:

ON THE 24th day of February, 2003, before me, the undersigned, a Notary Public in and for Harris County, personally appeared David Jordan, known to me to be the Operating Plan Agent of Genometrix Genomics, Incorporated and Genometrix, Incorporated, that he executed the within instrument, and acknowledged to me that he is acting on behalf of such corporation.

WITNESS my hand and official Seal.

Marian M. Szymaszek
NOTARY PUBLIC

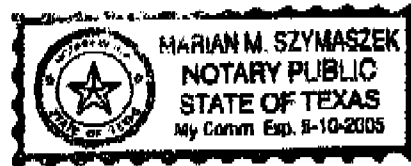


STATE OF Texas §
COUNTY OF Harris §

ON THE 24th day of February, 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Rahul Mitra, known to me to be the President and CSO of Genomics USA, Inc., that he executed the within instrument, and acknowledged to me that he is acting on behalf of such corporation.

WITNESS my hand and official Seal.

Marian M. Szymaszek
NOTARY PUBLIC



My Commission Expires: