



## ASSIGNMENT

This Assignment is effective as of **August 31, 2006**. The undersigned, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby assign, sell and transfer from **Aton Pharma, Inc., a corporation of the State of Delaware**, with offices at **33 Avenue Louis Pasteur, Boston, Massachusetts 02115**, which is a subsidiary of **Merck & Co., Inc.**, and its successors, assigns and legal representatives, hereinafter referred to as the ASSIGNOR, to **Merck & Co., Inc, a corporation of the State of New Jersey**, with offices at **Lincoln Avenue, City of Rahway, State of New Jersey**, and its successors, assigns and legal representatives, hereinafter referred to as the ASSIGNEE:

(1) the entire right, title and interest for the United States and in all countries, in and to any and all inventions, discoveries and applications which are disclosed in the applications for United States Letters Patent disclosed in "**Schedule A**" attached herewith, which were filed with the U.S. Patent and Trademark Office, including any renewals, revivals, reissues, reexaminations, extensions, continuations and divisions thereof and any substitute applications therefore; (2) the full and complete right to file patent applications in the name of the ASSIGNEE, its designee, or in my/our names at the ASSIGNEE, or its designee's election, on the aforesaid inventions, discoveries and applications in all countries of the world; (3) the entire right, title and interest in and to any Letters Patent which may issue thereon in the United States or in any country, and any renewals, revivals, reissues, reexaminations and extensions thereof, and any patents of confirmation, registration and importation of the same; and (4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation all rights of priority in any country of the world, in and to the above inventions, discoveries and applications.

ASSIGNOR hereby authorizes and requests the competent authorities to grant and to issue any and all such Letters Patent in the United States and throughout the world to the ASSIGNEE of the entire right, title and interest therein, as fully and entirely as the same would have been held and enjoyed by me had this assignment, sale and transfer not been made.

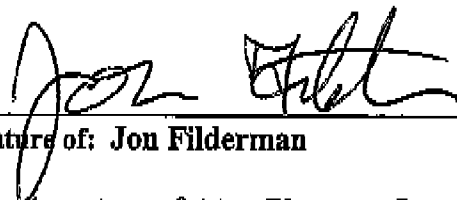
ASSIGNOR agrees at any time, upon the request of the ASSIGNEE, to execute and to deliver to the ASSIGNEE any additional applications for patents for said inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any Letters Patent issuing on said inventions, discoveries, or applications and divisions, continuations, renewals, revivals, reissues, reexaminations and extensions thereof.

ASSIGNOR agrees at any time to execute and to deliver upon request of the ASSIGNEE such additional documents, if any, as are necessary or desirable to secure patent protection on said inventions, discoveries and applications throughout all countries of the world, and otherwise to do the necessary to give full effect to and to perfect the rights of the ASSIGNEE under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale as may be necessary or desirable.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

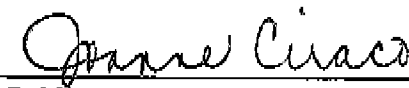
ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

Date: August 28, 2006

  
\_\_\_\_\_  
Signature of: Jon Filderman  
Title: Secretary of Aton Pharma., Inc.

State of New Jersey  
County of Hunterdon

Subscribed and sworn to before me this 28th day of August 2006

  
\_\_\_\_\_  
Notary Public  
My commission expires Jan. 20, 2010

JOANNE CIRACO  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES JAN. 20, 2010

**SCHEDULE A**

Title	Applicant	Filing Date	Applicant's File No.
HISTONE DEACETYLASE INHIBITORS	60/587,185	7/12/2004	21776PV
HISTONE DEACETYLASE INHIBITORS	PCT US2005/024513	7/8/2005	PCT 21776Y
HISTONE DEACETYLASE INHIBITORS	60/587,186	7/12/2004	21777PV
HISTONE DEACETYLASE INHIBITORS	PCT US2005/024514	7/8/2005	PCT 21777Y
HISTONE DEACETYLASE INHIBITORS	60/604,469	8/25/2004	21795PV
HISTONE DEACETYLASE INHIBITORS	PCT US2005/029913	8/22/2005	PCT 21795Y
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	60/682,875	5/20/2005	21901PV
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	60/693,128	6/23/2005	21901PV2
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	PCT US2006/018795	5/16/2006	PCT 21901Y
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	PCT US2006/018737	5/16/2006	PCT 21901YS
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Argentina P060101986	5/17/2006	21901YS ARGE
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Chile 2006-1162	5/17/2006	21901YS CHIL
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Dominican Republic P2006-0113	5/15/2006	21901YS DREP
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	GCC 6262	5/17/2006	21901YS GCC
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Lebanon 7513	5/15/2006	21901YS LEBA

Pub.	Applicant	Filing Date	Applicant's file reference
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Malta 3486	5/18/2006	21901YS MALT
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Malaysia PI2006-2258	5/17/2006	21901YS MAYS
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Pakistan 461/2006	5/11/2006	21901YS PAKI
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Peru 515.2006	5/16/2006	21901YS PERU
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Taiwan 095116824	5/11/2006	21901YS TAIW
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Thailand 0601002219	5/16/2006	21901YS THAI
FORMULATIONS OF SUBEROYLANILIDE HYDROXAMIC ACID AND METHODS FOR PRODUCING SAME	Venezuela 2006-001090	5/18/2006	21901YS VENE
BENZOTHIOPHENE HYDROXAMIC ACID DERIVATIVES	60/673,121	4/20/2005	21951PV
BENZOTHIOPHENE HYDROXAMIC ACID DERIVATIVES	PCT US2006/014093	4/14/2006	PCT 21951
BENZOTHIOPHENE HYDROXAMIC ACID DERIVATIVES WITH CARBAMATE, UREA, AMIDE AND SULFONAMIDE SUBSTITUTIONS	60/673,089	4/20/2005	21952PV
BENZOTHIOPHENE HYDROXAMIC ACID DERIVATIVES WITH CARBAMATE, UREA, AMIDE AND SULFONAMIDE SUBSTITUTIONS	PCT US2006/014091	4/14/2006	PCT 21952
MODIFIED MALONATE DERIVATIVES	60/694,083	6/24/2005	21990PV
MODIFIED MALONATE DERIVATIVES	PCT US2006/24236	6/21/2006	PCT 21990Y
HISTONE DEACETYLASE INHIBITORS WITH ARYL-PYRAZOLYL MOTIFS	60/733,340	11/3/2005	22029PV
ARYL-FUSED SPIROCyclic COMPOUNDS	60/801,269	5/18/2006	22157PV
DISUBSTITUTED ANILINE COMPOUNDS	60/812,524	4/26/2006	22182PV

Title	Applicant	Filing Date	Applicant's Reference
HISTONE DEACETYLASE INHIBITORS	60/589,079	7/19/2005	21778PV
HISTONE DEACETYLASE INHIBITORS	PCT US2005/025137	7/15/2005	PCT 21778Y

# **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.**

<p>1. Conveying party(ies):</p> <table style="width:100%;"> <tr> <td style="width:35%;"><u>Name(s)</u></td> <td style="width:65%;"><u>Execution Date(s)</u></td> </tr> <tr> <td><u>Aton Pharma, Inc.</u></td> <td><u>August 28, 2006</u></td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<u>Name(s)</u>	<u>Execution Date(s)</u>	<u>Aton Pharma, Inc.</u>	<u>August 28, 2006</u>																	<p>2. Nature of conveyance:</p> <table style="width:100%;"> <tr> <td><input checked="" type="checkbox"/> Assignment</td> <td><input type="checkbox"/> Security Agreement</td> </tr> <tr> <td><input type="checkbox"/> Merger</td> <td><input type="checkbox"/> Change of Name</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Other: _____</td> </tr> </table> <p>3. Name and address of receiving party(ies):</p> <p>Name: <u>MERCK &amp; Co., INC.</u></p> <p>Internal Address: <u>RY60-30</u></p> <p>Street Address: <u>P.O. Box 2000</u></p> <p>City &amp; State: <u>RAHWAY, NEW JERSEY</u></p> <p>Zip/Postal Code: <u>07065-0907</u></p> <p>Additional name(s) &amp; addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Merger	<input type="checkbox"/> Change of Name	<input type="checkbox"/> Other: _____	
<u>Name(s)</u>	<u>Execution Date(s)</u>																										
<u>Aton Pharma, Inc.</u>	<u>August 28, 2006</u>																										
<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Security Agreement																										
<input type="checkbox"/> Merger	<input type="checkbox"/> Change of Name																										
<input type="checkbox"/> Other: _____																											

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

(a) Patent Application No(s). 11/629,449, filed on December 13, 2006

and titled:

HISTONE DEACETYLASE INHIBITORS

(b) If this document is being filed together with a new application, the execution date of the application is:

\_\_\_\_\_ Additional numbers attached? ☐ Yes ☒ No

<p>5. Name &amp; address of party to whom correspondence concerning documents should be mailed:</p> <p>Name: <u>Li Su</u></p> <p>Internal Address: <u>PATENT DEPARTMENT</u> <u>MERCK &amp; CO., INC.</u> <u>P.O. BOX 2000 - RY60-30</u></p> <p>City &amp; State: <u>RAHWAY, N.J.</u> Zip: <u>07065-0907</u></p>	<p>6. Total no. of applications &amp; patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41).....\$ <u>40.00</u></p> <p><input type="checkbox"/> Enclosed</p> <p><input checked="" type="checkbox"/> 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.</p> <p>8. Deposit account number: <u>13-2755</u></p>
---	---

**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.

Li Su Reg. No. 45,141 May 15, 2007

Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and documents: 7

**NOTE: Send to Mail Stop Assignment Recordation Services or Fax to Patent and Trademark Office at (571) 273-0140**

<b>CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION</b>		
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)	<u>Stephanie Ricardo</u>	
Signature	<u>Stephanie Ricardo</u>	Date <u>May 15, 2007</u>