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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)
Noriaki Hashimoto	April 24, 2007
Keiji Takahashi	April 24, 2007
Chisato Nakama	April 24, 2007
Yoshio Ogino	April 24, 2007
Fumiko Sakai	April 24, 2007
Teruyuki Nishimura	April 24, 2007
Jun-ichi Eiki	April 24, 2007
_____	_____
_____	_____

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

2. Nature of conveyance:

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

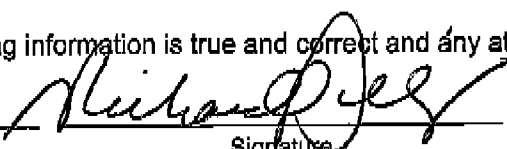
3. Name and address of receiving party(ies):  
 Name: Banyu Pharmaceutical Co., Ltd.  
 Internal Address: \_\_\_\_\_  
 Street Address: Kitanomaru Square, 1-13-12  
 City & State: Kudankita, Chiyoda-Ku, Tokyo, Japan  
 Zip/Postal Code: 102-8667  
 Additional name(s) & addresses attached?  Yes  No

4. Application number(s) or patent number(s) are as follows:  
 (a) Patent Application No(s), 11/866,555, filed on April 30, 2007,  
 and titled:  
ARYLOXY-SUBSTITUTED BENZIMIDAZOLE DERIVATIVE  
 (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: Richard C. Billups  
 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

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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.  
Richard C. Billups Reg. No. 31,916  October 15, 2007  
 Name of Person Signing Signature Date  
 Total number of pages including cover sheet, attachments, and documents: 5

**NOTE: Send to Mail Stop Assignment Recordation Services or Fax to Patent and Trademark Office at (571) 273-0141**

**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) Karen Ann Drost  
 Signature  Date October 15, 2007  
**PATENT**

CH \$40.00 132755 11866555

PATENT

Attorney Docket Number BY0054Y  
 U.S. Serial No. 11/666,555  
 Filing Date April 30, 2007  
 PCT Appl. No. JP2005/020483  
 Filing Date November 1, 2005

## ASSIGNMENT AND AGREEMENT

For value received, I/we, Noriaki Hashimoto, Keiji Takahashi, Chisato Nakama, Yoshio Ogino, Fumiko Sakai, Teruyuki Nishimura, and Jun-ichi Eiki

residing at: 2-13-2, Amakubo, Tsukuba-shi, Ibaraki 305-0005; 2-10-2, Umezono, Tsukuba-shi, Ibaraki 305-0045; 2-13-2, Amakubo, Tsukuba-shi, Ibaraki 305-0005; 2-8-3, Tsukuho, Tsukuba-shi, Ibaraki 300-3257; 11-6-13, Yamanote Ichijyo, Nishi-ku, Sapporo-shi, Hokkaido 063-0001; 393-1, Shimonecho, Ushiku-shi, Ibaraki 300-1203; and 1-4-6, Fujisaki, Tsuchiura, Ibaraki 300-0813

hereby sell, assign and transfer to Banyu Pharmaceutical Co., Ltd., a corporation having an office at Kitanomaru Square, 1-13-12, Kudankita, Chiyoda-ku, Tokyo 102-8667, Japan and its successors, assigns and legal representatives, my/our entire right, title and interest, for all countries, in and to certain inventions relating to

## ARYLOXY-SUBSTITUTED BENZIMIDAZOLE DERIVATIVE

described in an application for Patents having Attorney Docket Number BY0054Y and in application(s)

Serial No. JP2004-319339 filed on 11/02/2004 ; Serial No. JP2005-178628 filed on 06/17/2005 ;

Serial No. JP2005/020483 filed on 11/01/2005 (if applicable),

and all my/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.

I/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.

I/we agree that, when requested, I/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.

I/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.

This document may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, but all such counterparts shall together constitute but one and the same document.

I/we hereby authorize the attorney, Richard C. Billups or an attorney with Power of Attorney in this application, to insert Serial No. (s), PCT Appl. No. (s) and Filing Date (s) of said application(s) when known.



PATENT

Attorney Docket Number BY0054Y  
U.S. Serial No. 11/666,555  
Filing Date April 30, 2007  
PCT Appl. No. JP2005/020483  
Filing Date November 1, 2005

ASSIGNMENT AND AGREEMENT

Signed at Ibaraki Japan this 24 day of April, 2007.

Noriaki Hashimoto  
Noriaki Hashimoto

Keiji Takahashi  
Keiji Takahashi

chisato Nakama  
Chisato Nakama

Yoshio Ogino  
Yoshio Ogino

Fumiko Sakai  
Fumiko Sakai

Teruyuki Nishimura  
Teruyuki Nishimura

Jun-ichi Eiki  
Jun-ichi Eiki

Personally appeared before me the above-named Noriaki Hashimoto Keiji Takahashi Chisato Nakama Yoshio Ogino Fumiko Sakai Teruyuki Nishimura Jun-ichi Eiki

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 24 day of April, 2007.

Hisashi Kawamoto



Registration No. 951 of 2007

**NOTARIAL CERTIFICATE**

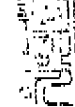
I, the undersigned, Notary in and for Tokyo, Japan, do hereby certify that **Noriaki Hashimoto, Keiji Takahashi, Chisato Nakama, Yoshio Ogino, Fumiko Sakai, Teruyuki Nishimura, Junichi Eiki and Hiroshi Kawamoto** have acknowledged themselves that signatures on the foregoing document are their own.

Tokyo, Japan; on this **26<sup>th</sup>** day of April, 2007

*Shoji Mizoguchi*   
Notary: **SHOJI MIZOGUCHI**



平成19年4月26日



認 証

嘱託人 橋本憲明、高橋啓治、中間千智、荻野悦夫、坂井富美子、西村輝之、永木淳一及び川元博は、添付証書の署名がそれぞれ自己のものに相違ない旨、本公証人に対し自認した。

よって、これを認証する。

平成19年 4 月 26 日、本公証人役場において

東京都千代田区麹町5丁目2番地1

東京法務局 所属

公 証 人  
Notary

溝口 啓治  
SHOJI MIZOGUCHI



証 明

上記署名は、東京法務局所属公証人の署名に相違ないものであり、かつ、その押印は、真実のものであることを証明する。

平成19年 4 月 26 日

東京法務局長

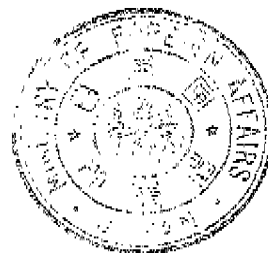
戸 田 信 久



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

- 1. Country: JAPAN  
This public document
- 2. has been signed by **SHOJI MIZOGUCHI**
- 3. acting in the capacity of Notary of the Tokyo Legal Affairs Bureau
- 4. bears the seal/stamp of **SHOJI MIZOGUCHI, Notary**  
Certified
- 5. at Tokyo
- 6. 26th April, 2007
- 7. by the Ministry of Foreign Affairs
- 8. 07- No 016387
- 9. Seal/stamp:
- 10. Signature



*K. Oyabe*

Kazutoyo OYABE  
For the Minister for Foreign Affairs

PATENT