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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.

1. Conveying party(ies): Table with columns Name(s) and Execution Date(s). Includes John J. Acton III, Peter T. Meinke, Harold B. Wood, Regina M. Black.

2. Nature of conveyance: Assignment (checked), Security Agreement, Merger, Change of Name, Other.

3. Name and address of receiving party(ies): Name: MERCK & Co., INC. Internal Address: RY60-30. Street Address: P.O. Box 2000. City & State: RAHWAY, NEW JERSEY. Zip/Postal Code: 07065-0907.

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

Additional name(s) & addresses attached? Yes No (No checked)

4. Application number(s) or patent number(s) are as follows: Patent Application No(s). 10/525,470, filed on February 24, 2005. and titled: INDOLES HAVING ANTI-DIABETIC ACTIVITY

This document is being filed together with a new application. (checkbox)

Additional numbers attached? Yes No (No checked)

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 (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. 8. Deposit account number: 13-2755.

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. Richard C. Billups Reg. No. 31,916 April 11, 2008. Total number of pages including cover sheet, attachments, and documents: 3

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

Name: Karen Ann Drost Signature: [Signature] Date: 4-11-08

CH \$40.00 132755 10525470

Attorney Docket Number 21117Y

PATENT

U.S. Serial No. 10/525,470

Filing Date February 24, 2005

ASSIGNMENT AND AGREEMENT

For value received, we, John J. Acton III, Peter T. Meinke, Harold B. Wood, Regina M. Black

of 39 Richmond Avenue, Cranford, NJ 07016, 531 W. 8th Street, Plainfield, NJ 07060, 724 Hanford Place, Westfield, NJ 07090, 6 Roselle Ave, Cranford, NJ 07016

hereby sell, assign and transfer to MERCK & CO., Inc., a corporation of the State of New Jersey, having an office at Lincoln Avenue, City of Rahway, State of New Jersey, and its successors, assigns and legal representatives, our entire right, title and interest, for all countries, in and to certain inventions relating to

INDOLES HAVING ANTI-DIABETIC ACTIVITY

described in an application for Patents having Attorney Docket Number 21117Y and in application(s) Serial No. 60/406,737 filed on 08/29/2002 ; Serial No. 60/440,741 filed on 01/17/2003 ; Serial No. filed on (if applicable),

and all 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.

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.

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 inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and 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 we have full right to convey the same as herein expressed.

We hereby authorize our attorney, James L. McGinnis or an attorney with Power of Attorney in this application, of the said MERCK & CO., Inc., to insert Serial No., (s) and Filing Date(s) of said application(s) when known.

Signed at Rahway NJ this 9th day of October 2003

John J. Acton III
John J. Acton III
Harold B. Wood
Harold B. Wood

Peter T. Meinke
Peter T. Meinke
Regina M. Black
Regina M. Black

Attorney Docket Number 21117Y

U.S. Serial No. 10/525,470

Filing Date February 24, 2005

ASSIGNMENT AND AGREEMENT

STATE OF NEW JERSEY
County of UNION } SS.

Personally appeared before me the above-named John J. Acton III Harold B. Wood Peter T. Meinke Regina M. Black

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 9th day of October, 2002.

Violet Burgess
Notary Public

**VIOLET BURGESS
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 5/30/2007**

Signed at _____ this _____ day of _____

County of _____ } SS.

Personally appeared before me the above-named

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 _____ day of _____.

Notary Public