

06-18-2008

Patent Case No. MRL-DOB-22132-US-PCT

U.S. DEPARTMENT OF COMMERCE
U.S. PATENT AND TRADEMARK OFFICE

A/0581.40



103509353

ADEMARK OFFICE:
R COPY THEREOF.

1. Conveying party(ies).

Name(s)

Execution Date(s)

Tesfaye Biftu

December 11, 2006

Jason Cox

December 14, 2006

Danqing Feng

December 15, 2006

Anthony Mastracchio

December 15, 2006

Xiaoxia Qian

December 15, 2006

Ann E. Weber

December 14, 2006

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: MERCK & CO., INC.

Internal Address:

Street Address: RY60-30

City & State: RAHWAY, NEW JERSEY

Zip/Postal Code: 07065-0907

Additional name(s) & addresses attached? ☐ Yes ☒ No

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

Patent Application No(s).

, filed on

and titled:

AMINOCYCLOHEXANES AS DIPEPTIDYL PEPTIDASE-IV INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES

☒ This document is being filed together with a new application.Additional numbers attached? ☐ Yes ☒ No

5. Name & address of party to whom correspondence concerning documents should be mailed:

Name: Philippe L. Durette

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

DO NOT USE THIS SPACE

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.

Philippe L. Durette

Reg. No. 35,125

Name of Person Signing

Signature

June 11, 2008

Date

Total number of pages including cover sheet, attachments, and documents: 3

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT 06/11/2008

EXPRESS MAIL NO.

EV 835856988 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL POST OFFICE TO ADDRESSEE ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY

DATE

6/11/08

IN DUPLICATE

Computer generated form Merck & Co., Inc. "Recordal Form with filing" (Assignments Folder) 5/2/2008

Page 1 of 1

PATENT

REEL: 021129 FRAME: 0859

ASSIGNMENT AND AGREEMENT

Filing Date _____

PCT Appl. No. PCT/US2007/001493

Filing Date January 19, 2007

For value received, we, Tesfaye Biftu, Jason Cox, Danqing Feng, Xiaoxia Qian, and Ann E. Weber

of 3 Ocala Court, Freehold, New Jersey 07728; 37 Exeter Road, East Windsor, New Jersey 08520; 125 Arapaho Trail, Branchburg, New Jersey 08876; 360 W 34th Street, Apt 8T, New York, New York 10001; 1974 Duncan Drive, Scotch Plains, New Jersey 07076, respectively,

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
AMINOCYCLOHEXANES AS DIPEPTIDYL PEPTIDASE-IV INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES

described in an application for Patents having Attorney Docket Number 22132Y and in application(s) Serial No. 60/761,815
 filed on 01/25/2006 ; Serial No. filed on ; 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.

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.

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

ASSIGNMENT AND AGREEMENTSigned at Rahway, New Jersey this 14th day of December, 2006.

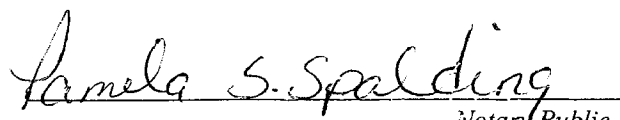
Jason CoxDanqing Feng D.F.X.Q.Xiaoxia Qian

Ann E. Weber

STATE OF NEW JERSEY

County of Union

} SS.

Personally appeared before me the above-named Jason Cox D.F. X.Q.
~~Danqing Feng~~ ~~Xiaoxia Qian~~ Ann E. Weberto 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 14th day of December, 2006.

Notary Public**PAMELA S SPALDING**
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Jan. 6, 2009

ASSIGNMENT AND AGREEMENTSigned at Rahway, New Jersey this 11th day of December, 2006.Tesfaye Biftu

_____STATE OF NEW JERSEYCounty of Union

} SS.

Personally appeared before me the above-named Tesfaye Biftu

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 11th day of December, 2006.**PAMELA S SPALDING**
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Jan. 6, 2009Pamela S. Spalding
Notary Public

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

ASSIGNMENT AND AGREEMENTSigned at Rahway, New Jersey this _____ day of _____, 2006._____
Tsfaye Biftu
_____STATE OF NEW JERSEYCounty of Union

} SS.

Personally appeared before me the above-named Tsfaye Biftu

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 _____, 2006._____
Notary PublicSigned at Rahway, New Jersey this 15th day of December, 2006.Danqing Feng
Danqing FengXiaoxia Qian
Xiaoxia QianSTATE OF NEW JERSEYCounty of Union

} SS.

Personally appeared before me the above-named Danqing Feng Xiaoxia Qian

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 15th day of December, 2006.**PAMELA S SPALDING**
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Jan. 6, 2009Pamela S. Spalding
Notary Public

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

PCT/US2007/001493

MRL-DOB-22132-US-PCT

The following fees are submitted:

21. ☒ Basic national fee.....\$310
22. ☒ Examination fee (37 CFR 1.492(c))
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0
All other situations.....\$210
23. ☒ Search fee (37 CFR 1.492(b))
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0
Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....\$100
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$410
All other situations.....\$510

CALCULATIONS

PTO USE ONLY

\$310.00

\$210.00

\$100.00

TOTAL OF 21, 22 and 23=

\$620.00

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$260 for each additional 50 sheets of paper or fraction thereof.

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE |
|--------------|--------------|---|------------|
| 69 - 100 = | 0 /50 | 0 = 0 | X \$260.00 |

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(h)].

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
|---|--------------|--------------|------------|
| Total Claims | 13 - 20 = | 0 | X \$50.00 |
| Independent Claims | 1 - 3 = | 0 | X \$210.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | X \$370.00 |

TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)

=

\$620.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).

+

TOTAL NATIONAL FEE

=

\$620.00

Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.

+

\$40.00

TOTAL FEES ENCLOSED

=

\$660.00

Amount to be refunded:

Amount to be charged:

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of \$660.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 000210

MERCK & CO., INC.
Patent Department, RY60-30
P.O. Box 2000
126 East Lincoln Avenue
Rahway, New Jersey 07065-0970

DATE: June 11, 2008

PHONE #: (732) 594-4568

SIGNATURE

Philippe L. Durette
NAME

35,125

REGISTRATION NUMBER

PATENT

REEL: 021129 FRAME: 0864

Attorney Docket Number 22132Y

U.S. Serial No. _____

Filing Date _____

PCT Appl. No. PCI/US2007/001493Filing Date January 19, 2007**ASSIGNMENT AND AGREEMENT**

For value received, I, Anthony Mastracchio

residing at: 222 E. Eisenhower Street, Princeton, New Jersey 08540

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, my entire right, title and interest, for all countries, in and to certain inventions relating to

AMINOCYCLOHEXANES AS DIPEPTIDYL PEPTIDASE-IV INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES

described in an application for Patents having Attorney Docket Number 22132Y and in application(s) Serial No. 60/761,815
filed on 01/25/2006 ; Serial No. _____ filed on _____ ; Serial No. _____ filed on _____ (if applicable),

and all my 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 request that any and all Patents for said inventions be issued to said assignee, or to its successors, assigns and legal representatives, or to such nominees as it may designate.

I agree that, when requested, I 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 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 have full right to convey the same as herein expressed.

I hereby authorize my attorney Philippe L. Durette

or an attorney with Power of Attorney in this application, of the said MERCK & CO., Inc., to insert the **Serial No. (s)**, **PCT Appl. No. (s)**, and **Filing Date (s)** of said application(s) when known.

Signed at Princeton this 15 day of December, 2006.


Anthony Mastracchio

Attorney Docket Number 22132Y

U.S. Serial No. _____

Filing Date _____

PCT Appl. No. PCT/US2007/001493Filing Date January 19, 2007**ASSIGNMENT AND AGREEMENT**STATE OF NEW JERSEYCounty of Mercer

} SS.

Personally appeared before me the above-named Anthony Mastracchioto me known and known to me to be the person who executed the foregoing instrument and acknowledged said instrument to be hisfree act and deed this 15th day of December, 2006.Christine A. Faltum

Notary Public

Christine A. Faltum
A Notary Public of New Jersey
My Commission Expires Dec. 8, 2008