

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Inventor Waiver Request Decision
CONVEYING PARTY DATA	
Name	Execution Date
National Institutes of Health	09/18/2009
RECEIVING PARTY DATA	
Name:	F. Nicholas Franano MD
Street Address:	1010 W.69th Terrace
City:	Kansas City
State/Country:	MISSOURI
Postal Code:	64113
PROPERTY NUMBERS Total: 1	
Property Type	Number
Patent Number:	7063838
CORRESPONDENCE DATA	
Fax Number:	(212)859-4000
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	(212) 859-8973
Email:	rabinst@ffhsj.com
Correspondent Name:	Fried, Frank, Harris, Shriver & Jacobson
Address Line 1:	One New York Plaza
Address Line 2:	Attn. Stephen S. Rabinowitz
Address Line 4:	New York, NEW YORK 10004
ATTORNEY DOCKET NUMBER:	31110-11
NAME OF SUBMITTER:	Stephen S. Rabinowitz
Total Attachments: 3	
source=Inventor Waiver Request Decision#page1.tif	
source=Inventor Waiver Request Decision#page2.tif	
source=Inventor Waiver Request Decision#page3.tif	

CH \$40.00 7063838



September 18, 2009

Dr. Nicholas Franano
1010 W. 69th Terrace
Kansas City, MO 64113

Invention: Local, transcatheter delivery of proteases to reopen obstructed biological conduits
Inventors: Nicholas Franano
NIH Funding Agreement No: HL007712
NIH EIR#: 4134401-99-0047
U.S. Patent Application Serial Number: 09/669,051

Re: Inventor Waiver Request Decision

Dear Dr. Franano:

This is in response to your request for the National Institutes of Health to permit title to the above-referenced Invention made under a funding agreement to a Nonprofit Institution to be assigned to the Inventor. Your request has been approved as detailed below with respect to the rights applicable to the Institution.

We have evaluated the request under 35 U.S.C. 202(d), using the regulations as promulgated under 37 CFR 401.9, and determined the following:

- the Government has insufficient interest in the invention to retain title and/or the patent rights at this time;
- the inventor is free to retain and administer the rights applicable to the invention in accordance with the requirements of 37 CFR 401.9; and
- the inventor is bound by the terms in the inventor's request for retention of rights in this subject invention (e.g., the Inventor Certification). Although not all inclusive, the inventor agrees to:
 - grant a nonexclusive, irrevocable, royalty-free license to practice the invention for or on behalf of the United States throughout the world;
 - continue to adhere to conditions that would apply to the original award recipient under 37 CFR 401;
 - seek patent protection for the subject invention within one year of the date of this approval; and

- provide the NIH with documentation of any patent application numbers, confirmatory licenses, filing and/or application dates and inclusion of the Federal Support Clause within the text of the issued patent and any subsequent patent applications or their equivalents in the prosecution of any plant variety protection applications.

Once the inventor is assigned this intellectual property derived with Government funds, the inventor should ensure that any research material derived from the invention remains available to the scientific community for research purposes, consistent with applicable NIH policies. Fulfillment of this request is consistent with the policy and objectives of the Bayh-Dole Act and 37 CFR 401 in that it serves to promote commercialization without encumbering future research and discovery.

Finally, the Inventor should go to the iEdison Invention and Patent Reporting web site, located at <http://iEdison.gov>, and register within 90 days from the date of this notification. This iEdison web site permits the inventor to make the subsequent required reports or patent or other activity on the assigned invention. Once the inventor registers at the iEdison web site, our office needs to be contacted at (301) 435-1986 to transfer the technology appropriately to the new iEdison account of the inventor.

This waiver permits the assignment of rights to the inventor. By signing below, the current owner of the Invention affirms the transfer to the inventor of the iEdison records relating to the IP.

This determination is effective upon the signature & return of this letter from the inventor within 90 days from the date of this notification, and the inventor's registration in iEdison for the continued required reporting on this technology.

Sincerely,



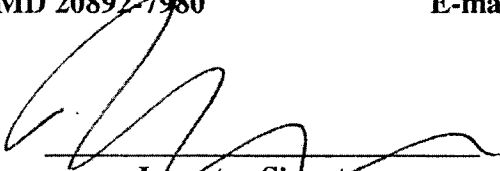
John Salzman
Assistant Extramural Inventions Policy Officer
Division of Extramural Inventions and Technology Resources (DEITR),
Office of Policy for Extramural Research Administration (OPERA), OER, OD

cc: R. Keith Baker, PhD
Director, Office of Technology Licensing
Stephen Rabinowitz
Fried, Frank, Harris, Shriver & Jacobson, LLP

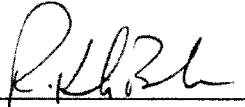
Please direct all correspondence to:

Waiver Coordinator
6705 Rockledge Drive
Suite 310, MSC 7980
Bethesda, MD 20892-7980

Phone: (301) 435-1986
Fax: (301) 480-0272
E-mail: waiver@nih.gov

Accepted:  9/29/2009
Inventor Signature Date

F. Nicholas Franano MD. Inventor
Print Name Title

Accepted:  9/23/09
Authorized Official Date
Current Invention Owner

R. Keith Baker Director
Print Name Title

Invention Title: Local, transcatheter delivery of proteases to reopen obstructed biological conduits
Inventor's Name: Nicholas Franano
NIH Funding Agreement Number: HL007712
NIH EIR#: 4134401-99-0047
Current Date: September 18, 2009