

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

CONVEYING PARTY DATA

Name	Execution Date
Thomas Ried	10/05/2009
Jens Habermann	10/08/2009
Nancy Lan Guo	09/22/2009

RECEIVING PARTY DATA

Name:	The United States of America, as represented by the Secretary, Department of Health and Human Services
Street Address:	Office of Technology Transfer, National Institutes of Health
Internal Address:	6011 Executive Boulevard, Suite 325, MSC 7660
City:	Bethesda
State/Country:	MARYLAND
Postal Code:	20892-7660

Name:	West Virginia University Research Corporation
Street Address:	886 Chestnut Ridge Road
City:	Morgantown
State/Country:	WEST VIRGINIA
Postal Code:	26506

PROPERTY NUMBERS Total: 1

Property Type	Number
PCT Number:	US0956931

CORRESPONDENCE DATA

Fax Number: (312)616-5700
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 312-616-5600

Email: email@leydig.com

Correspondent Name: John Kilyk, Jr.

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PATENT
REEL: 023344 FRAME: 0342

Address Line 1:	Two Prudential Plaza, Suite 4900
Address Line 2:	180 North Stetson Avenue
Address Line 4:	Chicago, ILLINOIS 60601-6731

ATTORNEY DOCKET NUMBER:	BIOT022509/EKM
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NAME OF SUBMITTER:	John Kilyk, Jr.
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Total Attachments: 8
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**ASSIGNMENT FOR NIH/FDA INVENTIONS
(NIH OR FDA CO-INVENTORS ONLY)**

WHEREAS, we, Thomas Ried, and Jens Habermann, employees of the National Institutes of Health, a component of the United States Department of Health and Human Services having an address at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, MSC 7660, Bethesda, MD 20892-7660, [hereinafter **The Inventors**], have executed an International Application for a U.S. patent, having International Application no. PCT/US09/56931, filed September 15, 2009, and which is entitled "GENE EXPRESSION SIGNATURE OF GENOMIC INSTABILITY IN BREAST CANCER" ("patent application") and;

WHEREAS, we are some of the applicants named in the above-identified patent application; and

WHEREAS, the inventions described and claimed therein were made under conditions such as to entitle **THE UNITED STATES OF AMERICA**, as represented by the Secretary, Department of Health and Human Services [hereinafter **THE GOVERNMENT**] under Executive Order 10096 and its amendments, 35 USC §§200-201, §§206-207, and §210 and 37 CFR Part 501 to our entire right, title, and interest in such inventions; and

WHEREAS, **THE GOVERNMENT** is desirous of acquiring all our domestic and foreign right, title, and interest in the inventions described and claimed in the patent application; and

NOW, THEREFORE, having the legal obligation to assign our right, title and interest in the inventions described and claimed in the above-identified patent application to **THE GOVERNMENT**, having a place of business at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, MSC 7660, Bethesda, MD 20892-7660 and for consideration, the receipt and sufficiency of which are hereby acknowledged, we hereby assign and transfer to **THE GOVERNMENT**:

our entire right, title, and interest in and to any and all inventions described and claimed in said patent application and any and all Letters Patents which may be granted thereon, and any and all continuations, divisions, reissues or extensions thereof; and


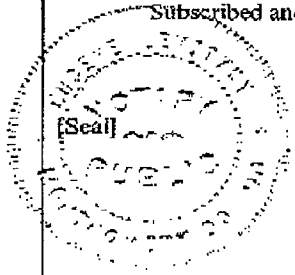
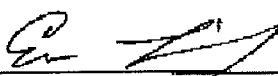
all our rights to claim priority on the basis of said patent application including but not limited to applications filed through the provisions of the Patent Cooperation Treaty ("PCT Applications"); and

all applications for Letters Patents that may be filed for any and all inventions described and claimed in said patent application that may be filed in any foreign country and all Letters Patents that may be granted thereon in any foreign country and all extensions, renewals, and reissues thereof; and

any and all such Letters Patents as may be granted in the United States or any foreign country to be held by **THE GOVERNMENT** to the end of the term for which the same would have been held by the inventors had this assignment not been made.

we further agree to make, execute, and deliver to **THE GOVERNMENT**, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patents, and to assist **THE GOVERNMENT** in every way as may be requested in protecting said inventions.

IN WITNESS WHEREOF we subscribe our hands and seals on the dates shown below:

Inventor 1:	
<u>10/5/09</u> Date	 Thomas Ried
County of <u>MONTGOMERY</u>	
State of <u>MARYLAND</u>	
Subscribed and sworn to before me this <u>5th</u> day of <u>OCTOBER</u> , <u>2009</u> .	
 [Seal]	 Notary Public for <u>STATE OF MARYLAND</u> EUGENE LEVITZKY My Commission Expires: <u>3/1/11</u> NOTARY PUBLIC STATE OF MARYLAND My Commission Expires March 1, 2011

Inventor 2:

Date

Jens Habermann

Date _____

Witness

Date _____

Witness

**ASSIGNMENT FOR NIH/FDA INVENTIONS
(NIH OR FDA CO-INVENTORS ONLY)**

WHEREAS, we, Thomas Ried, and Jens Habermann, employees of the National Institutes of Health, a component of the United States Department of Health and Human Services having an address at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, MSC 7660, Bethesda, MD 20892-7660, [hereinafter **The Inventors**], have executed an International Application for a U.S. patent, having International Application no. PCT/US09/56931, filed September 15, 2009, and which is entitled "GENE EXPRESSION SIGNATURE OF GENOMIC INSTABILITY IN BREAST CANCER" ("patent application") and;

WHEREAS, we are some of the applicants named in the above-identified patent application; and

WHEREAS, the inventions described and claimed therein were made under conditions such as to entitle **THE UNITED STATES OF AMERICA, as represented by the Secretary, Department of Health and Human Services** [hereinafter **THE GOVERNMENT**] under Executive Order 10096 and its amendments, 35 USC §§200-201, §§206-207, and §210 and 37 CFR Part 501 to our entire right, title, and interest in such inventions; and

WHEREAS, THE GOVERNMENT is desirous of acquiring all our domestic and foreign right, title, and interest in the inventions described and claimed in the patent application; and

NOW, THEREFORE, having the legal obligation to assign our right, title and interest in the inventions described and claimed in the above-identified patent application to **THE GOVERNMENT**, having a place of business at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, MSC 7660, Bethesda, MD 20892-7660 and for consideration, the receipt and sufficiency of which are hereby acknowledged, we hereby assign and transfer to **THE GOVERNMENT**:

our entire right, title, and interest in and to any and all inventions described and claimed in said patent application and any and all Letters Patents which may be granted thereon, and any and all continuations, divisions, reissues or extensions thereof; and

all our rights to claim priority on the basis of said patent application including but not limited to applications filed through the provisions of the Patent Cooperation Treaty ("PCT Applications"); and

all applications for Letters Patents that may be filed for any and all inventions described and claimed in said patent application that may be filed in any foreign country and all Letters Patents that may be granted thereon in any foreign country and all extensions, renewals, and reissues thereof; and

any and all such Letters Patents as may be granted in the United States or any foreign country to be held by **THE GOVERNMENT** to the end of the term for which the same would have been held by the inventors had this assignment not been made.

we further agree to make, execute, and deliver to **THE GOVERNMENT**, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patents, and to assist **THE GOVERNMENT** in every way as may be requested in protecting said inventions.

IN WITNESS WHEREOF we subscribe our hands and seals on the dates shown below:

Inventor 1:	
_____	_____
Date	Thomas Ried
County of _____	
State of _____	
Subscribed and sworn to before me this ____ day of _____, ____.	
[Seal]	_____
	Notary Public for _____
	My Commission Expires: _____

Inventor 2:

Oct. 8th, 2009

Date

J. Habermann
Jens Habermann

Date Oct. 8th, 2009

Date Oct 8th, 2009

S. Bär Dipl.-Biol. Stefanie Bärger
Witness

Dr. Tilman Laubert
Witness

Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza
Suite 4900
Chicago, Illinois 60601-6731

ASSIGNMENT

WHEREAS, I, Nancy Lan Guo, an employee of West Virginia University, have co-invented a certain invention entitled:

**GENE EXPRESSION SIGNATURE OF
GENOMIC INSTABILITY IN BREAST CANCER**

for which invention I have executed an International Application for a U.S. patent, which was filed on September 15, 2009, under International Application No. PCT/US09/56931, which designates the U.S., and

WHEREAS, I am one of the applicants named in the above-identified patent application; and

WHEREAS, West Virginia University Research Corporation, of 886 Chestnut Ridge Road, Morgantown, West Virginia 26506 (hereinafter referred to as Assignee), is desirous of acquiring mye entire domestic and foreign right, title, and interest in and under the invention described in the patent application.

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, I assign and transfer to the Assignee and the Assignee's legal representatives, successors and assigns my full and exclusive rights in and to the invention in the U.S. and every foreign country and my entire right, title, and interest in and to the patent application and other such applications (e.g., provisional applications, non-provisional applications, continuations, continuations-in-part, divisionals, reissues, reexaminations, National phase applications, including petty patent applications, and utility model applications) that may be filed in the United States and every foreign country on the invention, and the patents, extensions, or derivations thereof, both foreign and domestic, that may issue thereon, and I do hereby authorize and request the Commissioner of Patents to issue U.S. patents to the above-mentioned Assignee agreeably with the terms of this assignment document.

I HEREBY AUTHORIZE the Assignee to insert in this assignment document the filing date and application number of the application if the date and number are unavailable at the time this document is executed.

UPON SAID CONSIDERATION, I convey to the Assignee the right to make application in its own behalf for protection of the invention in the U.S. and countries foreign to the U.S. and to claim under the Patent Cooperation Treaty, the International Convention and/or other international arrangement for any such application the date of the U.S. application (or any other application on the invention) to gain priority with respect to other applications.

I DO HEREBY COVENANT and agree with the Assignee that I will not execute any writing or do any act whatsoever conflicting with the terms of this assignment document set forth herein, and that I will at any time upon request, without further or additional consideration, but at the expense of the Assignee, execute such additional assignments and

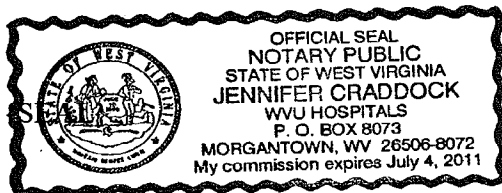
other writings and do such additional acts as the Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this assignment, and render all necessary assistance in making application for and obtaining original, continuation, continuation-in-part, divisional, reissued, reexamined, and National phase patents of the U.S. or of any and all foreign countries on the invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, and by executing statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of all parties hereto.


IN WITNESS WHEREOF, I have hereunder set my hand on the date shown below.

Date 9/22/09 
Nancy Lan Guo

STATE OF West Virginia
COUNTY OF Morgantown

On this 22 day of September, 2009, before me, a Notary Public in and for said county, appeared Nancy Lan Guo, who is personally known to me to be the same person whose name is subscribed to the foregoing assignment document, and acknowledged that he/she signed and delivered the document as his/her free and voluntary act for the uses and purposes therein set forth.



 9-22-09
Notary Public
My Commission Expires: 7-4-2011