

03-08-2010

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To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)**

Brian Charles Monk, Richard David Cannon, Kenjiro Nakamura,  
Masakazu Niimi, Kyoko Niimi, Rachel Holmes, Erwin Lamping, David  
Roger Harding, Andre Goffeau, Anabelle Decottignies

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

**3. Nature of conveyance/Execution Date(s):**

Execution Date(s) March 12, 2002

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Joint Research Agreement  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other \_\_\_\_\_

**2. Name and address of receiving party(ies)**

Name: University of Otago

Internal Address: \_\_\_\_\_

Street Address: Leith Street

City: Dunedin

State: \_\_\_\_\_

Country: New Zealand

Zip: \_\_\_\_\_

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

**4. Application or patent number(s):**

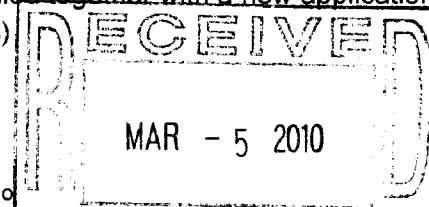
A. Patent Application No.(s)

12/153,902

☐ This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No



**5. Name and address to whom correspondence concerning document should be mailed:**

Name: D. Benjamin Borson, Ph.D.

Internal Address: Suite 200

Street Address: 1078 Carol Lane

City: Lafayette

State: California

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Phone Number: (925) 310-2060

Fax Number: (925) 310-2061

Email Address: \_\_\_\_\_

**6. Total number of applications and patents involved: one**

**7. Total fee (37 CFR 1.21(h) & 3.41) \$40**

- ☒ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

**8. Payment Information**

Deposit Account Number 504089

03/08/2010 LMUELLER 00000021 504089 12 53902

Authorized User Name D. Benjamin Borson, Ph.D.

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March 2, 2010

Date

**9. Signature:**

D. Benjamin Borson  
Signature

D. Benjamin Borson, Ph.D.

Name of Person Signing

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

9

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

**THIS DEED OF ASSIGNMENT** made the *12<sup>th</sup>* day of *March*

2001<sup>2</sup>

**BETWEEN BRIAN CHARLES MONK**, a New Zealand citizen of Molecular Microbiology Laboratory, Department of Oral Sciences and Orthodontics, School of Dentistry, University of Otago, P O Box 647, Dunedin, New Zealand;

**AND RICHARD DAVID CANNON**, a New Zealand citizen of Molecular Microbiology Laboratory, Department of Oral Sciences and Orthodontics, School of Dentistry, University of Otago, P O Box 647, Dunedin, New Zealand;

**AND KENJIROU NAKAMURA**, a Japanese citizen of General Research Institute, Nippon Dental University, Niigatta, Japan;

**AND MASAKAZU NIIMI**, a Japanese citizen of Antibiotics Laboratory, Department of Bioactive Molecules, National Institute of Infectious Diseases, 1-23-1 Toyama, Shinjuku-Ku, Tokyo 162-8640, Japan;

**AND KYOKO NIIMI**, a Japanese citizen of Molecular Microbiology Laboratory, Department of Oral Sciences and Orthodontics, School of Dentistry, University of Otago, P O Box 647, Dunedin, New Zealand;

**AND ANN RACHEL HOLMES**, a New Zealand citizen of Molecular Microbiology Laboratory, Department of Oral Sciences and Orthodontics, School of Dentistry, University of Otago, P O Box 647, Dunedin, New Zealand;

**AND ERWIN LAMPING**, an Austrian citizen of Molecular Microbiology Laboratory, Department of Oral Sciences and Orthodontics, School of Dentistry, University of Otago, P O Box 647, Dunedin, New Zealand;

(the "Otago" inventors)

**AND DAVID ROGER KAY HARDING**, a New Zealand citizen of Centre for Separation Science, Institute of Fundamental Science, Massey University, Palmerston North, New Zealand;

**(the "Massey" inventor)**

**AND ANDRE GOFFEAU**, a Belgian citizen of Laboratoire Genetique Moleculaire, Ecole Normale Superieure, 46 rue d Ulm, 75230 PARIS Cedex 05, France;

**AND ANABELLE DECOTTIGNIES**, a Belgian citizen of Imperial Cancer Research Fund, London, United Kingdom

**(the "Louvain" inventors)**

**(collectively and severally the "Assignors")**

**AND UNIVERSITY OF OTAGO**, a body corporate established under the University of Otago ordinance 1869, of Leith Street, Dunedin, New Zealand;

**(the "First Assignee")**

**AND UNIVERSITE CATHOLIQUE DE LOUVAIN**, Sopartec, Place des Sciences, 4, Batiment Pythagore, 1348 Louvain-la-Neuve, Belgium

**(the "Second Assignee")**

**AND MASSEY UNIVERSITY**, a body corporation of Palmerston North, New Zealand

**(the "Third Assignee")**

**(jointly referred to as the "Assignees")**

## RECITALS

1. The Assignors are inventors in respect of an invention entitled "**PROTEIN EXPRESSION SYSTEM AND ITS APPLICATION**" (the "**Invention**") in respect of New Zealand Patent Application No. 513755 filed on 24 August 2001 (the "**Application**") for the Invention.
2. The Assignors devised the Application and the Invention in the course of their employment with the Assignee and acknowledge that the Assignee is the proprietor of all rights, title and interest in and to the Application and in the Invention, including the right to apply for patent or equivalent protection in any country or countries of the world, to claim priority under International convention from the Application and the rights conferred by such patent or equivalent protection when granted.
3. To the extent the Assignors have been the creator of original artistic works (e.g. drawings and models) in relation to the Invention and original literary works (including compilations of data) in relation to the Invention, the Assignors acknowledge that copyright in such artistic and literary works (the "**Copyright**") is or should be the property of the Assignees.
4. The First Assignee has funded the majority of the research that led to the making of the Application and the Invention.
5. In view of the funding of the First Assignee and in view of the relative contributions made, the First Assignee, Second Assignee and Third Assignee have agreed that the Patent Rights should be held in 75 percent (75%); 20 percent (20%) and 5 percent (5%) shares to the First, Second and Third Assignees respectively.
6. At the request of the Assignees, the Assignors have agreed to confirm in writing that as at 24 August 2001, all of their rights in the Application and in the Invention were vested in the Assignee.

**ARTICLE 1 - THE GRANT**

1.0            In consideration of the premises and the sum of one dollar (\$1.00) paid to the Assignors by the Assignees (the receipt of which is acknowledged) the Assignors assign to the Assignees the entire right, title and interest in and to the Application and the Invention and any Letters Patent which may be granted on the Application and the parties hereto hereby authorise and request the Commissioner to direct that the Application shall proceed in the name of the Assignees.

**IN WITNESS WHEREOF** this Deed was executed on the date first stated above.

Signed for and on behalf of	)	<b>BRIAN CHARLES MONK</b>
<b>BRIAN CHARLES MONK</b>	)	By: <u>Brian C. Monk</u>
in the presence of:	)	Title: <u>Sen. Research Fellow</u>

Witness: J V Monk  
Address: 121 Blacks Rd  
              Dunedin  
Occupation: Polytechnic Lecturer

Signed for and on behalf of	)	<b>RICHARD DAVID CANNON</b>
<b>RICHARD DAVID CANNON</b>	)	By: <u>R.D. Cannon</u>
in the presence of:	)	Title: <u>Senior Lecturer</u>

Witness: J V Monk  
Address: 121 Blacks Rd.  
              Opoho Dunedin  
Occupation: Polytechnic Lecturer

Signed for and on behalf of ) **KENJIROU NAKAMURA**  
**KENJIROU NAKAMURA** ) By: Kenjiro Nakamura  
in the presence of: ) Title: lecturer

Witness: S Aoki  
Address: ~~6-15-8, Maizaki, Niigata, Japan~~ 2-8-44 Nishikobanidai, Niigata, Japan  
Occupation: ~~Polytechnic Lecturer~~ University Professor

Signed for and on behalf of ) **MASAKAZU NIIMI**  
**MASAKAZU NIIMI** ) By: Masakazu Niimi  
in the presence of: ) Title: Laboratory Chief

Witness: Yoshinari Nakano  
Address: 8-10-36 Tanai, Machida, Tokyo Japan  
Occupation: Department Head

Signed for and on behalf of ) **KYOKO NIIMI**  
**KYOKO NIIMI** ) By: Kyoko Niimi  
in the presence of: ) Title: Research Fellow

Witness: J V Monk  
Address: 121 Blair's Rd  
Occupation: Dunedin  
Polytechnic Lecturer

Signed for and on behalf of ) **DAVID ROGER KAY HARDING**  
**DAVID ROGER KAY HARDING** ) By: David R Kay  
in the presence of: ) Title: Associate Professor

Witness:  
Address:  
Occupation:

Signed for and on behalf of )  
**KENJIROU NAKAMURA** )  
in the presence of: )

**KENJIROU NAKAMURA**  
By: \_\_\_\_\_  
Title: \_\_\_\_\_

Witness:  
Address:  
Occupation:

Signed for and on behalf of )  
**MASAKAZU NIIMI** )  
in the presence of: )

**MASAKAZU NIIMI**  
By: \_\_\_\_\_  
Title: \_\_\_\_\_

Witness:  
Address:  
Occupation:

Signed for and on behalf of )  
**KYOKO NIIMI** )  
in the presence of: )

**KYOKO NIIMI**  
By: \_\_\_\_\_  
Title: \_\_\_\_\_

Witness:  
Address:  
Occupation:

Signed for and on behalf of )  
**DAVID ROGER KAY HARDING** )  
in the presence of: )

**DAVID/ROGER KAY HARDING**  
By: David R Kay Harding  
Title: Associate Professor

Witness: R Parsons  
Address: IFS, Massey Uni, Palmer North  
Occupation: Technical Manager

Signed for and on behalf of )  
**ANN RACHEL HOLMES** )  
in the presence of: )

**ANN RACHEL HOLMES**

By: A Holmes  
Title: Sn Research Fellow

Witness: J V Monk  
Address: 121 Blacks Rd  
Dunedin  
Occupation: Polytechnic  
Lecturer

Signed for and on behalf of )  
**ERWIN LAMPING** )  
in the presence of: )

**ERWIN LAMPING**

By: Erwin Lamping  
Title: Research Fellow

Witness: J V Monk  
Address: 121 Blacks Rd  
Dunedin  
Occupation: Polytechnic Lecturer

Signed for and on behalf of )  
**ANDRE GOFFEAU** )  
in the presence of: )

**ANDRE GOFFEAU**

By: André Goffeau  
Title: Retired professor

Witness: BELKACER EL HADJAOUI [Signature]  
Address: Rue de la haussière, 19  
Occupation: INFORMATIQUE.

Signed for and on behalf of )  
**ANABELLE DECOTTIGNIES** )  
in the presence of: )

**ANABELLE DECOTTIGNIES**

By: Decottignies  
Title: Chercheur / Research Fellow

Witness: B. EL HADJAOUI [Signature]  
Address: Rue de la haussière, 19  
Occupation: INFORMATIQUE



Signed for and on behalf of  
**MASSEY UNIVERSITY**  
in the presence of:

**MASSEY UNIVERSITY**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Witness:

Address:

Occupation:

Signed for and on behalf of  
**UNIVERSITY OF OTAGO**  
in the presence of:

**UNIVERSITY OF OTAGO**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Witness:

Address:

Occupation:

Signed for and on behalf of  
**UNIVERSITE CATHOLIQUE  
DE LOUVAIN**  
in the presence of:

**UNIVERSITE CATHOLIQUE  
DE LOUVAIN**

By: \_\_\_\_\_

Title: Rector of the University

Witness: *M. MOLITOR*

Address: *Place de l'Université 1. B-1348 Louvain-la-Neuve*

Occupation: *Vice-Rector*

Signed for and on behalf of  
**MASSEY UNIVERSITY**  
in the presence of:

Witness:

Address:

Occupation:

**MASSEY UNIVERSITY**

By: 

Title:

**Dr. C. M. Kirk**

Director, Research Policy & Strategy  
**MASSEY UNIVERSITY**

Signed for and on behalf of  
**UNIVERSITY OF OTAGO**  
in the presence of:

Witness: 

Address: **10 GLENKIRK ST**  
**DUNEDIN NZ**

Occupation: **SECRETARY/PA**

**UNIVERSITY OF OTAGO**

By: 

Title:

**JOHN D. SCANDRETT**  
**DIRECTOR COMMERCIAL DEVELOPMENT**  
**UNIVERSITY OF OTAGO**

Signed for and on behalf of  
**UNIVERSITE CATHOLIQUE**  
**DE LOUVAIN**  
in the presence of:

Witness:

Address:

Occupation:

**UNIVERSITE CATHOLIQUE**

**DE LOUVAIN**

By: 

Title: