

# PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

| SUBMISSION TYPE:   | NEW ASSIGNMENT       |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
|--|----------------------|---------------|--------------------|---------------------|----------------------|-------------------|------------|-----------|------------|----------------|------------|--------------|-------|
| NATURE OF CONVEYANCE:  | ASSIGNMENT           |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| <b>CONVEYING PARTY DATA</b>  |                      |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Name</th> <th style="width: 30%;">Execution Date</th> </tr> </thead> <tbody> <tr> <td>D. Keith Hester II</td> <td>07/28/2010</td> </tr> <tr> <td>Robert J. Duguid</td> <td>07/28/2010</td> </tr> <tr> <td>John Finn</td> <td>07/28/2010</td> </tr> </tbody> </table>   |                      | Name          | Execution Date     | D. Keith Hester II  | 07/28/2010           | Robert J. Duguid  | 07/28/2010 | John Finn | 07/28/2010 |                |            |              |       |
| Name   | Execution Date       |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| D. Keith Hester II   | 07/28/2010           |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| Robert J. Duguid   | 07/28/2010           |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| John Finn  | 07/28/2010           |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| <b>RECEIVING PARTY DATA</b>  |                      |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Name:</td> <td>TRIUS THERAPEUTICS</td> </tr> <tr> <td>Street Address:</td> <td>6310 Nancy Ridge Dr.</td> </tr> <tr> <td>Internal Address:</td> <td>Suite 101</td> </tr> <tr> <td>City:</td> <td>San Diego</td> </tr> <tr> <td>State/Country:</td> <td>CALIFORNIA</td> </tr> <tr> <td>Postal Code:</td> <td>92121</td> </tr> </table> |                      | Name:         | TRIUS THERAPEUTICS | Street Address:     | 6310 Nancy Ridge Dr. | Internal Address: | Suite 101  | City:     | San Diego  | State/Country: | CALIFORNIA | Postal Code: | 92121 |
| Name:  | TRIUS THERAPEUTICS   |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| Street Address:  | 6310 Nancy Ridge Dr. |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| Internal Address:  | Suite 101            |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| City:  | San Diego            |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| State/Country:   | CALIFORNIA           |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| Postal Code:   | 92121                |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| PROPERTY NUMBERS Total: 1  |                      |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Property Type</th> <th style="width: 70%;">Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>12787293</td> </tr> </tbody> </table>  |                      | Property Type | Number             | Application Number: | 12787293             |                   |            |           |            |                |            |              |       |
| Property Type  | Number               |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| Application Number:  | 12787293             |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| <b>CORRESPONDENCE DATA</b>   |                      |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| <p>Fax Number: (949)760-9502</p> <p><i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i></p> <p>Phone: 949-760-0404</p> <p>Email: efiling@kmob.com</p> <p>Correspondent Name: Knobbe Martens Olson &amp; Bear</p> <p>Address Line 1: 2040 Main Street</p> <p>Address Line 2: 14th Floor</p> <p>Address Line 4: Irvine, CALIFORNIA 92627</p>  |                      |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| ATTORNEY DOCKET NUMBER:  | TRIUS.005A           |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| NAME OF SUBMITTER:   | Carolyn A. Favorito  |               |                    |                     |                      |                   |            |           |            |                |            |              |       |
| Total Attachments: 6   |                      |               |                    |                     |                      |                   |            |           |            |                |            |              |       |

OP \$40.00 12787293

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**PATENT**  
**REEL: 024802 FRAME: 0797**

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**ASSIGNMENT**

WHEREAS, D. Keith Hester II, a U.S. citizen, residing at 433 Delaware Avenue, Delmar, NY 12054 Robert J. Duguid, a U.S. citizen, residing at 68 Patterson Drive, Glenmont, NY 12077, John Finn, a U.S. citizen, residing at 523 Lynwood Drive, Encinitas, CA, 92024, (individual(s) hereinafter "ASSIGNOR") invented certain new and useful improvements, technology, inventions, developments, ideas or discoveries related to OXAZOLIDINONE CONTAINING DIMER COMPOUNDS, COMPOSITIONS AND METHODS TO MAKE AND USE (collectively hereinafter referred to as the "Work") for which an application for Letters Patent in the United States has been prepared for filing (identified above) with the United States Patent and Trademark Office (hereinafter the "Application");

AND WHEREAS, TRIUS THERAPEUTICS, INC, a Delaware Corporation, with its principal place of business at 6310 Nancy Ridge Dr. Suite 101, San Diego, CA 92121 (hereinafter the "ASSIGNEE"), desires to acquire the entire right, title, and interest in and to the Application and the Work:

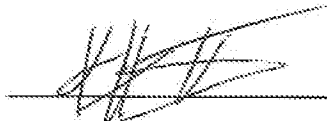
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby acknowledges that ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in the Application and the Work, including all provisional applications relating thereto (including but not limited to U.S. Provisional Application No(s). 61/181,955, filed May 28, 2009 (respectively if plural applications)), and all nonprovisional applications claiming priority thereto, including, all divisions, continuations, continuations-in-part, reissues, and reexaminations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and any related Letters Patent which may hereafter be granted or filed in any country or countries foreign to the United States, all extensions, renewals and reissues thereof, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all related Letters Patent to the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR DOES HEREBY sell, assign, transfer, and convey to ASSIGNEE, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of said Letters Patent before or after issuance.

AND ASSIGNOR DOES HEREBY covenant and agree that ASSIGNOR will communicate to said ASSIGNEE, its successors, legal representatives and assigns, any facts known to ASSIGNOR respecting the Work, and testify in any legal proceeding, assist in the preparation of any other provisional or non-provisional applications relating to the Application and the Work or any improvements made thereto, sign all lawful papers, execute and make all rightful oaths and/or declarations in connection with the Application and the Work including any improvements made thereto, any patent applications filed therefrom, and any continuing application filed from any of the aforementioned applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for the Work in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28 day of July, 2010.

STATE OF New York  
COUNTY OF Albany

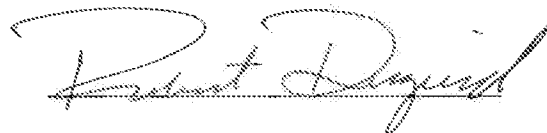
  
D. Keith Hester II

Sign in presence of a Notary and have

Notary attach Acknowledgement

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28<sup>th</sup> day of July, 2010.

STATE OF New York  
COUNTY OF Albany

  
Robert J. Duguid

Sign in presence of a Notary and have

Notary attach Acknowledgement

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
John Finn

Sign in presence of a Notary and have

Notary attach Acknowledgement

State of New York

County of Albany

} SS.

On the 28<sup>th</sup> day of July in the year 2010

Day

Month

Year

before me, the undersigned, a Notary Public in and for said state, personally appeared D. Keith Hester II, personally

Name of Signer

known to me or proved to me on the basis of satisfactory evidence to

be the individual(s) whose name(s) is (are) subscribed to the within

instrument and acknowledged to me that he/she/they executed the

same in his/her/their capacity(ies), and that by his/her/their

signature(s) on the instrument, the individual(s), or the person upon

behalf of which the individual(s) acted, executed the instrument.

Christine C. Benz

Signature of Notary Public

## OPTIONAL

Though the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## Description of Attached Document

Title or Type of Document: AssignmentDocument Date: 7/28/10Number of Pages: 2Signer(s) Other Than Named Above: Robert J. Duguid and John Finnlisted

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State of New York

County of Albany

} ss.

On the 28<sup>th</sup> day of July in the year 2010

Day

Month

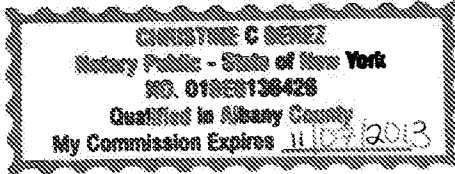
Year

before me, the undersigned, a Notary Public in and for said state, personally appeared Robert J. Duquid, personally

Name of Signer

known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Christine C. Berez  
Signature of Notary Public



## OPTIONAL

Though the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## Description of Attached Document

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(3 including acknowledgment)

Signer(s) Other Than Named Above: D. Keith Hester II and John Finn

11/27/13

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
D. Keith Hester II

**Sign in presence of a Notary and have**

**Notary attach Acknowledgement**

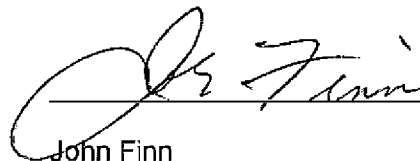
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Robert J. Duguid

**Sign in presence of a Notary and have**

**Notary attach Acknowledgement**

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28 day of  
July, 2010.

  
\_\_\_\_\_  
John Finn

**Sign in presence of a Notary and have**

**Notary attach Acknowledgement**

**"See attached certificate"**

# ASSIGNMENT

## ACKNOWLEDGMENT

State of California

County of SAN DIEGO

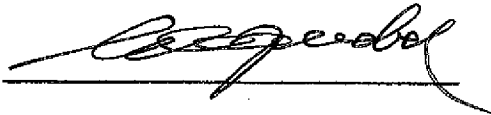
On JULY 28, 2010 before me, WALTER E. PUESCHEL, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared JOHN FINN  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

