

08-20-2010

U.S. DEPARTMENT OF COMMERCE
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103604766

To the Director of the U.S. Patent

Record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Bayer AG

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

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

Execution Date(s): May 26, 2010

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

2. Name and address of receiving party(ies)

Name: Bayer Schering Pharma Aktiengesellschaft

Internal Address:

Street Address:

Müllerstrasse 178

City: Berlin

State:

Country: Germany Zip: 13353

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

4. Application or patent number(s):

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

A. Patent Application No.(s)

B. Patent No.(s)

7,112,660

Additional numbers attached? ☐ Yes ☒ No

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

Name: Kathryn A. Piffat, Ph.D., Esq.
EDWARDS ANGELL PALMER & DODGE
LLP

Internal Address: Atty. Dkt.: 56722(71745)

Street Address: P.O. Box 55874

City: Boston

State: MA Zip: 02205

Phone Number: (617) 517-5516

Fax Number: (888) 325-9129

Email Address: KPiffat@eapdlaw.com

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

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

8. Payment Information

Deposit Account Number 04-1105

Authorized User Name Kathryn A. Piffat, Ph.D., Esq.

9. Signature:

Kathryn A. Piffat, Ph.D.
Signature

Kathryn A. Piffat, Ph.D., Esq. - 34,901

Name of Person Signing

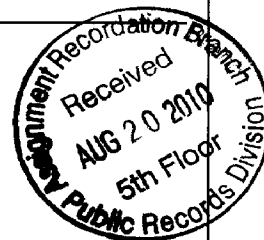
August 19, 2010

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

5



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556

PATENT ASSIGNMENT

PARTIES:

- (1) **BAYER AG** (incorporated in Germany)
of 51368 Leverkusen, Germany
("ASSIGNOR")
- (2) **BAYER SCHERING PHARMA AKTIENGESELLSCHAFT** (incorporated in Germany)
of Müllerstrasse 178, 13353 Berlin, Germany
("ASSIGNEE")

RECITALS:

- A. The ASSIGNOR is the applicant/proprietor (as the case may be) jointly with European Molecular Biology Laboratory ("EMBL") in respect of the patent applications and patents particularised in the Schedule (the "PATENTS AND APPLICATIONS").
- B. The parties have agreed that all the ASSIGNOR's rights in the PATENTS AND APPLICATIONS should be assigned to the ASSIGNEE.

OPERATIVE TERMS:

In consideration of the sum of €1 (one euro) and other good and valuable consideration paid by the ASSIGNEE to the ASSIGNOR (the receipt and sufficiency of which are hereby acknowledged) IT IS AGREED as follows:

1. Assignment

The ASSIGNOR hereby assigns to the ASSIGNEE and the ASSIGNEE hereby accepts all the ASSIGNOR's property right title and interest in and to the PATENTS AND APPLICATIONS including without limitation:

- (a) the PATENTS AND APPLICATIONS and all patent applications, patents and supplementary protection certificates which may derive or result from any of the same, including any divisionals, continuations, continuations-in-part, reissues, renewals, extensions and registrations in relation to any thereof and all and any other rights in the inventions comprised in the above (together referred to as the "PATENT RIGHTS");
- (b) the benefit of all priority rights;
- (c) the right to defend all opposition proceedings in relation to any of the PATENT RIGHTS;
- (d) the right to seek and obtain registrations in other countries;
- (e) the right to sue for and obtain injunctive relief, damages and all other relief in respect of any infringement or misuse (whether past present or future) of any of the PATENT RIGHTS or of the rights conferred by publication of any of the same;

to the intent that the ASSIGNEE will be entitled to be registered as co-applicant/co-proprietor (as the case may be) with EMBL in place of the ASSIGNOR.

2. Further Assurance

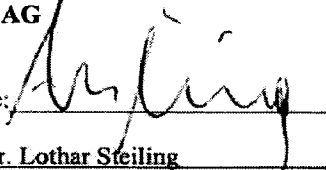
The ASSIGNOR agrees to execute any further documents and do all things which the ASSIGNEE may reasonably require in order to vest or confirm the vesting in the ASSIGNEE (or the ASSIGNEE's successors in title or nominees as the case may be) of all the ASSIGNOR's rights in the PATENTS AND APPLICATIONS and all other PATENT RIGHTS in all relevant jurisdictions and all other property rights title and interests intended to be assigned transferred or granted to the ASSIGNEE hereunder and to give the ASSIGNEE the full benefit of this Assignment including doing all acts which may be necessary or desirable to record the PATENTS AND APPLICATIONS in the name of the ASSIGNEE jointly with EMBL in all relevant jurisdictions. The ASSIGNOR hereby authorises the ASSIGNEE and the ASSIGNEE's agents to sign all such forms on behalf of the ASSIGNOR as the ASSIGNEE considers appropriate in order to record the PATENTS AND APPLICATIONS and any other PATENT RIGHTS in the name of the ASSIGNEE jointly with EMBL.

IN WITNESS of which the parties have executed this Assignment in accordance with their statutes by duly authorised officers as of the date of the later of the parties' signatures.

SCHEDULE
THE PATENTS AND APPLICATIONS

<u>Country</u>	<u>Number</u>	<u>Status</u>	<u>References</u>	<u>Local Attorney</u>
Canada	2372566	Pending	LEA 33911 CA P021802CA 47178-NP	Kirby Eades Gale Baker
France	EP 1183360	Granted	LEA 33911 FR P021802FR BVA08L0068	Cabinet Lavoix
Germany	EP 1183360	Granted	LEA 33911 DE P021802DE 1406P90DE(EP)-GL/SM	Witte Weller & Partner
Italy	EP 1183360	Granted	LEA 33911 IT P021802IT 148623/II	Dr Modiano & Associati SpA
Japan	2001-50072 (publication no. 2003-501035)	Pending	LEA 33911 JP P021802JP 7123	Kanesaka & Sakai
Spain	EP 1183360	Granted	LEA 33911 ES P021802ES E-800	Acopat S.L.
UK	EP 1183360	Granted	LEA 33911 GB P021802GB	Carpmaels & Ransford
USA	7112660	Granted	LEA 33911 US P021802US 71745-56722	Edwards Angell Palmer & Dodge LLP

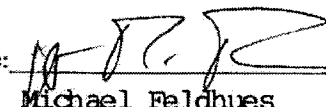
EXECUTED by the ASSIGNOR
BAYER AG

Signature: 

Name: Dr. Lothar Steiling

Title: secretary

Date: _____

Signature: 

Name: Dr. Michael Feldhues
~~Dr. Dieter Linkenherr~~

Title: secretary

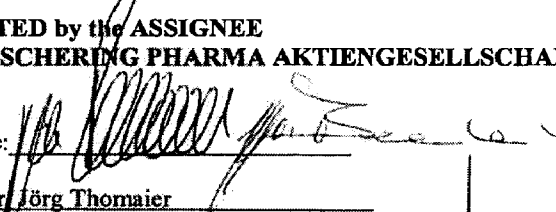
Date: _____

In the presence of a Notary Public:

Apostille

G048373PA: AJF/BPH

EXECUTED by the ASSIGNEE
BAYER SCHERING PHARMA AKTIENGESELLSCHAFT

Signature: 

Name: Dr. Jörg Thomaier

Title: secretary

Date: _____

Signature: 

Name: Dr. Frank Burkert

Title: secretary

Date: _____

In the presence of a Notary Public:

Apostille

06.05.2010

Assignment LeA 33911

PATENT
REEL: 024864 FRAME: 0364

1a) I certify that the individuals, named

- Mr. Dr. Lothar Steiling, business address : 51368 Leverkusen, Bayer AG, Chempark, Germany,
- Mr. Dr. Michael Feldhues, business address : 51368 Leverkusen, Bayer AG, Chempark, Germany,

appeared before me and executed the foregoing document and signed personally

- personally known to me -.

I further confirm that Mr. Dr. Lothar Steiling and Mr. Dr. Michael Feldhues are authorised representatives of Bayer Aktiengesellschaft in Leverkusen and having today inspected the commercial register of the local court in Cologne, are recorded in Section B 48248 as authorised representatives.

b) Ich beglaube die vor mir vollzogenen Unterschriften von :

- Herrn Dr. Lothar Steiling, geschäftsansässig in 51368 Leverkusen, Bayer AG, Chempark, Deutschland,
- Herr Dr. Michael Feldhues, geschäftsansässig in 51368 Leverkusen, Bayer AG, Chempark, Deutschland,
- von Person bekannt -.

Ich bescheinige aufgrund Einsicht vom heutigen Tage in das Handelsregister des Amtsgerichts Köln - HRB 48248 -, dass Herr Dr. Lothar Steiling und Herr Dr. Michael Feldhues berechtigt sind, die Bayer Aktiengesellschaft in Leverkusen als Prokuristen einzeln zu vertreten.

2a) I certify that the individuals, named

- Mr. Dr. Jörg Thomaier, business address : 51368 Leverkusen, Chempark, Germany,
- Mr. Dr. Frank Burkert, business address : 51368 Leverkusen, Chempark, Germany

appeared before me and executed the foregoing document and signed personally

- personally known to me -.

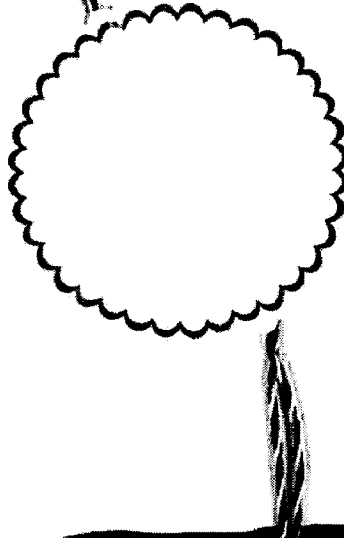
I further confirm that Mr. Dr. Jörg Thomaier and Mr. Dr. Frank Burkert are authorised representatives of Bayer Schering Pharma Aktiengesellschaft in Berlin. I have today electronically inspected the commercial register of the local court in Charlottenburg, Berlin. Mr. Dr. Jörg Thomaier is recorded in Section B 283 B as jointly authorised representative (together with another representative). Mr. Dr. Frank Burkert is recorded in Section B 283 B as severally authorised representative.

b) Ich beglaube die vor mir vollzogenen Unterschriften von :

- Herrn Dr. Jörg Thomaier, geschäftsansässig : 51368 Leverkusen, Chempark, Deutschland,
- Herrn Dr. Frank Burkert, geschäftsansässig : 51368 Leverkusen, Chempark, Deutschland
- von Person bekannt -.

Ich bescheinige aufgrund elektronischer Einsicht vom heutigen Tage in das Handelsregister des Amtsgerichts Charlottenburg, Berlin, - HRB 283 B -, dass Herr Dr. Jörg Thomaier berechtigt ist, die Bayer Schering Pharma Aktiengesellschaft in Berlin als Prokurist gemeinsam mit einem Vorstand oder einem weiteren Prokuristen zu vertreten. Herr Dr. Frank Burkert ist berechtigt, die Bayer Schering Pharma Aktiengesellschaft in Berlin als Prokurist einzeln zu vertreten.

Leverkusen, den 26. Mai 2010



Klaus Striewski
(Notar in Leverkusen)



(Convention de La Haye du 5 octobre 1961)

- Diese öffentliche Urkunde**

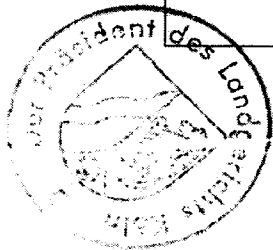
2. ist unterschrieben von Klaus Striewski
3. in seiner Eigenschaft als Notar
4. sie ist versehen mit dem Siegel
des Notars Klaus Striewski in Leverkusen

Bestätigt

5. in Köln 6. am 14.06.2010
7. durch den Vizepräsidenten des Landgerichts
8. unter Nr.: 2234/2010
9. Stempel: 10. Unterschrift:

10. Unterschrift:

Dr. Dumke

[illegible]

002 - Sirlowski, Mofar

RECORDED: 08/20/2010

REEL: 024864 FRAME: 0366