

PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Ira Berkower	03/07/2011
Angelo Spadaccini	03/08/2011
RECEIVING PARTY DATA	
Name:	The United States of America, as represented by the Secretary, Department of Health and Human Services
Street Address:	6011 Executive Blvd.
Internal Address:	Suite 325, MSC 7660
City:	Bethesda
State/Country:	MARYLAND
Postal Code:	20892-7660
PROPERTY NUMBERS Total: 1	
Property Type	Number
PCT Number:	US1052948
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ATTORNEY DOCKET NUMBER:	4239-81301-02
NAME OF SUBMITTER:	Karri Kuenzli Bradley, Ph.D.
Total Attachments: 4	

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

WHEREAS, we, Ira Berkower and Angelo Spadaccini, [hereinafter **The Inventors**], employees of the Food and Drug Administration, 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, have made certain inventions as described and claimed in:

U.S. Provisional Patent Application No. 61/252,568, filed on October 16, 2009, entitled "INSERTION OF FOREIGN GENES IN RUBELLA VIRUS AND THEIR STABLE EXPRESSION IN A LIVE, ATTENUATED VIRAL VACCINE," and

PCT Patent Application No. PCT/US2010/052948, filed on October 15, 2010, entitled "INSERTION OF FOREIGN GENES IN RUBELLA VIRUS AND THEIR STABLE EXPRESSION IN A LIVE, ATTENUATED VIRAL VACCINE,"

all of which applications are collectively referred to herein as "the Applications"; and

WHEREAS, we are the applicants named in the above-identified Applications; 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 U.S.C. §§200-201, §§206-207, and §210 and 37 C.F.R. Part 501 to the entire right, title, and interest in such inventions; and

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

NOW, THEREFORE, having the legal obligation to assign my/our right, title and interest in the inventions described and claimed in the above-identified Patent Applications 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**:

the entire right, title, and interest in and to any and all inventions described and claimed in said Applications and any and all Letters Patent which may be granted thereon, and any and all continuations, divisions, reissues or extensions thereof; and

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

all applications for Letters Patent that may be filed for any and all inventions described and claimed in said Applications 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 Patent, and to assist **THE GOVERNMENT** in every way as may be requested in protecting said invention. **THE GOVERNMENT** promises to pay any reasonable expenses incurred by **The Inventors** in making, executing and delivering of such papers to **THE GOVERNMENT**.

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

Inventor : Ira Berkower	
Date X <u>3-7-11</u>	X <u>Ira Berkower</u> Signature
County of	<u>Montgomery</u>
State of	<u>Maryland</u>
Subscribed and sworn to before me this	<u>7</u> day of <u>March</u> , <u>2011</u> .
Seal	Notary Public for <u>[Signature]</u> My Commission Expires in My Montgomery County, State of Maryland Notary Public Seal My Commission Expires April 18, 2012 MICHAEL LUM

Inventor: Angelo Spadaccini	
Date X _____	X _____ Signature
County of	_____
State of	_____
Subscribed and sworn to before me this	_____ day of _____, _____.
Seal	Notary Public for _____ My Commission Expires: _____

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

WHEREAS, we, Ira Berkower and Angelo Spadaccini, [hereinafter **The Inventors**], employees of the Food and Drug Administration, 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, have made certain inventions as described and claimed in:

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WHEREAS, we are the applicants named in the above-identified Applications; 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 U.S.C. §§200-201, §§206-207, and §210 and 37 C.F.R. Part 501 to the entire right, title, and interest in such inventions; and

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

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the entire right, title, and interest in and to any and all inventions described and claimed in said Applications and any and all Letters Patent which may be granted thereon, and any and all continuations, divisions, reissues or extensions thereof; and

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

all applications for Letters Patent that may be filed for any and all inventions described and claimed in said Applications 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.

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

Inventor : Ira Berkower	
Date X _____	X _____ Signature
County of _____	_____
State of _____	_____
Subscribed and sworn to before me this _____ day of _____	
Seal	Notary Public for _____ My Commission Expires: _____

Inventor: Angelo Spadaccini	
Date X <u>March 8, 2011</u>	X <u>[Signature]</u> Signature
County of <u>37 Tresise Street, Carine, Australia</u>	_____
State of <u>Western Australia</u>	_____
Subscribed and sworn to before me this <u>8TH</u> day of <u>MARCH 2011</u>	
Seal	Notary Public for <u>[Signature]</u> My Commission Expires: <u>N/A</u>

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