

## PATENT ASSIGNMENT COVER SHEET

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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	NUNC PRO TUNC ASSIGNMENT
<b>EFFECTIVE DATE:</b>	10/31/2018
<b>CONVEYING PARTY DATA</b>	
<b>Name</b>	<b>Execution Date</b>
CHILDREN'S HOSPITAL AND RESEARCH CENTER AT OAKLAND	05/08/2020
<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	CYMABAY THERAPEUTICS, INC.
<b>Street Address:</b>	7575 GATEWAY BOULEVARD
<b>Internal Address:</b>	SUITE 110
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<b>State/Country:</b>	CALIFORNIA
<b>Postal Code:</b>	94560
<b>PROPERTY NUMBERS Total: 1</b>	
<b>Property Type</b>	<b>Number</b>
Application Number:	16176349
<b>CORRESPONDENCE DATA</b>	
<b>Fax Number:</b>	
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>	
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<b>ATTORNEY DOCKET NUMBER:</b>	MBX.021610C3
<b>NAME OF SUBMITTER:</b>	DEREK P FREYBERG
<b>SIGNATURE:</b>	/Derek P Freyberg/
<b>DATE SIGNED:</b>	05/14/2020
<b>Total Attachments: 2</b>	
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source=MBX021610 Assignment 4-Apr-20 signed#page2.tif	

## ASSIGNMENT

Under Section 6 of the Laboratory Services Agreement of March 1, 2007 (“**Agreement**”), as amended on March 1, 2008, between the Children’s Hospital and Research Center at Oakland, 5700 Martin Luther King, Jr. Way, Oakland, California 94609 (“**Children’s**”), and Metabolex, Inc., 3876 Bay Center Place, Hayward, California 94545 (“**Metabolex**”), all inventions made by **Children’s** under the **Agreement** are assigned to and owned by **Metabolex**. **Children’s** agreed that it would obtain agreements with each of its employees performing work under the **Agreement** under which such employees would assign their rights in any inventions to **Children’s** so that **Children’s** could assign those rights to **Metabolex**.

Dr. Ronald M. Krauss (“**Dr. Krauss**”), an employee of **Children’s**, performed work under the **Agreement** and was named as a co-inventor on US Application No. 61/106483, “Methods of reducing small, dense LDL particles”, filed on October 17, 2008; together with certain employees of **Metabolex**. **Dr. Krauss** duly assigned his rights in the application to **Children’s**, and **Children’s** duly assigned those rights to **Metabolex**. **Metabolex** obtained an assignment from its own employees, and thereby obtained sole record title to the invention and application.

Subsequently, on October 15, 2009, **Metabolex** filed US Application No. 12/579996, also entitled “Methods of reducing small, dense LDL particles”, again naming **Dr. Krauss** as a co-inventor together with certain employees of **Metabolex**. Again, **Dr. Krauss** assigned his rights to **Children’s**, by an assignment dated January 6, 2010 and recorded in the USPTO at Reel 024537, Frame 0887, on June 15, 2010, and the **Metabolex** employees assigned their rights to **Metabolex** by an assignment recorded in the USPTO at Reel 025437, Frame 0763 on June 15, 2010. Inadvertently, **Metabolex** failed to obtain and record an assignment from **Children’s**, though by virtue of the **Agreement** it owned the invention described and claimed in the application and had a right to that assignment.

**Metabolex** later changed its name to CymaBay Therapeutics, Inc. (“**CymaBay**”), and recorded that change of name in the USPTO at Reel 031517, Frame 0275 on October 30, 2013. **CymaBay** later changed its address to 7575 Gateway Boulevard, Suite 110, Newark, California 94540.

US Application No. 12/579996 was abandoned in favor of a continuation, Application No. 14/995024, filed on January 13, 2016; which in turn was abandoned in favor of a further continuation, Application No. 16/176349, filed on October 31, 2018, which is now pending.

**Children’s** confirms that it has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, to **CymaBay**, its successors and assigns, the full and exclusive right, title and interest for the United States, its territories and possessions, and all foreign countries in and to US Application No. No. 12/579996, “Methods of reducing small, dense LDL particles”, filed October 15, 2009, nunc pro tunc as of January 6, 2010.

For the avoidance of doubt, and for convenience of recordation, **Children's** also confirms that it has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, to **CymaBay**, its successors and assigns, the full and exclusive right, title and interest for the United States, its territories and possessions, and all foreign countries in and to:

US Application No. 14/995024, "Methods of reducing small, dense LDL particles", filed January 13, 2016, nunc pro tunc as of January 13, 2016, and

US Application No. No. 16/176349, "Methods of reducing small, dense LDL particles", filed October 31, 2018, nunc pro tunc as of October 31, 2018.

**Children's Hospital and Research Center at Oakland**

DocuSigned by:  
By Lana Arad  
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Name: Lana Arad

Title: Controller

Date: 5/8/2020