

PATENT ASSIGNMENT COVER SHEET

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EPAS ID: PAT8054274

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
BAYER PHARMA AKTIENGESELLSCHAFT	02/03/2022
RECEIVING PARTY DATA	
Name:	DEUTSCHES KREBSFORSCHUNGSZENTRUM STIFTUNG DES ÖFFENTLICHEN RECHTS
Street Address:	IM NEUENHEIMER FELD 280
City:	HEIDELBERG
State/Country:	GERMANY
Postal Code:	69120
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	16776329
CORRESPONDENCE DATA	
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<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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Address Line 4:	INDIANAPOLIS, INDIANA 46204-2023
ATTORNEY DOCKET NUMBER:	ASD05-59
NAME OF SUBMITTER:	CAROLINE E. WILSON
SIGNATURE:	/Caroline E. Wilson/
DATE SIGNED:	07/12/2023
Total Attachments: 11	
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ASSIGNMENT AGREEMENT

by and between

Deutsches Krebsforschungszentrum Stiftung des öffentlichen Rechts, Im Neuenheimer Feld 280, 69120 Heidelberg.

- hereinafter referred to as **DKFZ** -

and

BAYER PHARMA AG, Müllerstrasse 170 - 178, 13353 Berlin

- hereinafter referred to as **BAYER PHARMA** -

and

BAYER AG, Müllerstrasse 170 - 178, 13353 Berlin

- hereinafter referred to as **BAYER** -

BAYER PHARMA, BAYER and DKFZ together are referred to as the "Parties"

Preamble

WHEREAS on 01 January 2009 DKFZ and BAYER PHARMA entered into a Collaboration and Option Agreement which has been amended and restated various times (as restated and amended the "Collaboration and Option Agreement") under which the Parties perform joint research projects ("Joint Projects") with the results of such Joint Projects being co-owned by the Parties.

WHEREAS within the scope of a Joint Project regarding "Induction of T cell-mediated tumor rejection in vivo through CEACAM-6 inhibition" (Joint Project CEACAM-6), the Parties have developed a function-blocking antibody against CEACAM-6 with the BAYER reference number BAY 1834942. Said BAY 1834942 compound and its use is subject of several patent applications.

WHEREAS under an Exclusive License Agreement (L-18843) dated 10 December 2018 / 27 December 2018 DKFZ granted BAYER an exclusive license under the subjects of said patent applications and related know-how.



WHEREAS effective 01 January 2017 BAYER PHARMA transferred its business to BAYER and assigned the Collaboration and Option Agreement and any licenses granted thereunder to BAYER as of such date.

WHEREAS, BAYER, in connection with the termination of the Exclusive License Agreement, decided to discontinue the prosecution and maintenance of the filed patent applications and DKFZ is interested in having the right to maintain, in its sole name and at its cost such patent applications.

NOW, therefore, the Parties agree as follows:

§ 1

Intellectual Property Rights

- (1) BAYER PHARMA or BAYER and DKFZ jointly own the patent applications and/or granted patents listed in Annex I to this Agreement ("Joint Patents"). Said Joint Patents derive from patent applications claiming the priority of European Patent application No. 15160292.7 filed on 23 March 2015 (Table 1 of Annex I), the priority of European Patent application No. 18206206.7 filed on 14 November 2018 (Table 2 of Annex I), and the priority of European Patent application No. 18214059.0 filed on 19 December 2018 (Table 3 of Annex I).

§ 2

Assignment

- (1) BAYER PHARMA and BAYER herewith assign to DKFZ their right, title and interest in the Joint Patents.
- (2) BAYER PHARMA and BAYER agree to cooperate in any manner reasonably requested by DKFZ in connection with such assignment.
- (3) Upon assignment DKFZ shall have the sole right, in its sole discretion and at its own expense, to file, prosecute and maintain the Joint Patents.
- (4) Upon effective date of assignment DKFZ shall reimburse BAYER (or any of its Affiliates) all costs incurred by BAYER (or any of its Affiliates) associated with the prosecution and maintenance of the Joint Patents after January 6, 2022 (2022-01-06).

§ 3

BAYER's Right to use Intellectual Property Rights

DKFZ hereby grants to BAYER and its Affiliates a worldwide, perpetual, irrevocable, non-exclusive, sub-licensable license to the Joint Patents for research purposes outside of the research plan of the original Joint Project.

§ 4

Limitation of Liability; Compensation

- (1) BAYER PHARMA and BAYER assign the Joint Patents "as is". BAYER and BAYER PHARMA make no representation or warranty, express or implied, with respect to the Joint Patents.
- (2) If DKFZ commercializes any product based on the Joint Patents, the compensation provisions specified in Appendix 13.5 of the Collaboration and Option Agreement shall apply.

§ 5

Miscellaneous


- (1) This Agreement shall come into force on the date of its signature by both Parties.
- (2) Should any provisions of this Agreement be invalid or unenforceable or should the Agreement contain an omission, the remaining provisions shall be valid. In the place of an invalid provision, a valid provision is presumed to be agreed upon by the parties, which comes economically closest to the one actually agreed upon; the same shall apply in the case of an omission.
- (3) This Agreement embodies the entire understanding of the Parties. Any modification or amendment hereof shall be made in writing.
- (4) This Agreement and its performance shall be governed under the Laws of Germany.
- (5) Any disputes, controversies or differences which may arise between the parties in relation to this Agreement shall be submitted to the exclusive jurisdiction of the ordinary courts of Berlin.

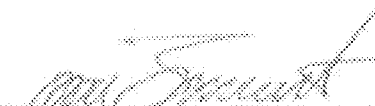
Heidelberg, 2022-02-07

Monheim, 2022-02-03

For DKFZ

For BAYER PHARMA AG





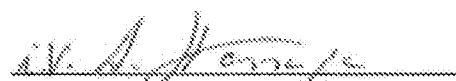
Name: Dr. Christian Kliem

Name: ppa. Dr. Dorian Immier

Title: Innovation Management, Group
Head Patents

Title: Head of Patents Pharma &
Consumer Health





Name: Dr. Ruth Wellenreuther

Name: i.V. Dr. Axel Harrenga

Title: Innovation Management, Group
Head Alliance Management

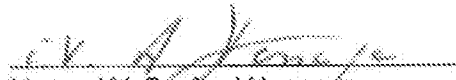
Title: Senior Patent Counsel

For BAYER AG



Name: ppa. Dr. Dorian Immier

Title: Head of Patents Pharma &
Consumer Health



Name: i.V. Dr. Axel Harrenga

Title: Senior Patent Counsel

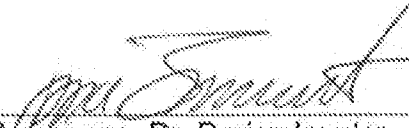
Heidelberg,

Monheim, 2022-02-03

For DKFZ

For BAYER PHARMA AG

Name: Dr. Christian Kliem

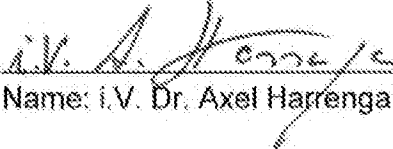


Name: ppa. Dr. Dorian Immler

Title: Innovation Management, Group
Head Patents

Title: Head of Patents Pharma &
Consumer Health

Name: Dr. Ruth Wellenreuther

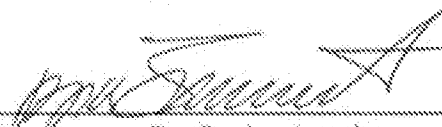


Name: i.V. Dr. Axel Harrenga

Title: Innovation Management, Group
Head Alliance Management


Title: Senior Patent Counsel

For BAYER AG



Name: ppa. Dr. Dorian Immler

Title: Head of Patents Pharma &
Consumer Health



Name: i.V. Dr. Axel Harrenga

Title: Senior Patent Counsel

ANNEX I – Intellectual Property Rights

Table 1. Intellectual Property Rights from PCT/EP2016/056104 + (TW & AR) [Priority EP 15160292.7 filed on 2015-03-23]

BAYER Ref.: BHC141064

DKFZ Ref.: P-1221

File number	Application Date	Application No.	Publication Date	Publication No.	Issue Date	Patent No.
BHC141064 AR	2016-03-22	2016010077 2				
BHC141064 PCT-AU	2016-03-21	2016236270				
BHC141064 PCT-BR	2016-03-21	BR11201702 0373-1	2018-06-05			
BHC141064 PCT-CA	2016-03-21	2980390				
BHC141064 PCT-CN	2016-03-21	2016800248 95.X	2018-02-27	107743495	2021-05-14	20168002 4895.X
BHC141064 PCT-CN-HK	2018-05-02	18105631.4	2018-09-07	1246312A		
BHC141064 PCT-E-AL	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	AL/P/ 2019/911
BHC141064 PCT-E-AT	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
BHC141064 PCT-E-BA	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
BHC141064 PCT-E-BE	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
BHC141064 PCT-E-BG	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
BHC141064 PCT-E-CH	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
BHC141064 PCT-E-CY	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	CY112262 7
BHC141064 PCT-E-CZ	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
BHC141064 PCT-E-DE	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	60201602 4646.5
BHC141064 PCT-E-DK	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
BHC141064 PCT-E-EE	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370

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PCT-E-ES						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-FI						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-FR						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-GB						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-GR						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-HR						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-HU						
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PCT-E-IE						
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BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	50202000
PCT-E-IT						0011230
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BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
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BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-ME						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-MK						
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BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-NL						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
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PCT-EP D						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-PL						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-PT						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-RO						
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-11-20	3274370
PCT-E-RS						

BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-	3274370
PCT-E-SE					11-20	
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-	3274370
PCT-E-SI					11-20	
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-	3274370
PCT-E-SK					11-20	
BHC141064	2016-03-21	16713784.3	2018-01-31	3274370	2019-	1R202001
PCT-E-TR					11-20	706T4
BHC141064	2016-03-21	254534				
PCT-IL						
BHC141064	2016-03-21	2017170334	2017-12-01			
PCT-IN		93				
BHC141064	2016-03-21	2017-549507	2018-04-19	2018-510636	2020-	6815329
PCT-JP					12-24	
BHC141064	2020-12-22	2020-212437	2021-04-15	2021-058199		
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BHC141064	2016-03-21	10-2017-				
PCT-KR		7029946				
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PCT-MX		012278			11-04	
BHC141064	2016-03-21	735628				
PCT-NZ						
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PCT-RU					12-21	
BHC141064	2016-03-21	517390001				
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BHC141064	2016-03-21	1120170780			2021-	11201707
PCT-SG		0Q			03-22	800Q
BHC141064	2016-03-21	15/561013	2018-06-14	US-2018-	2020-	10584167
PCT-US				0162940-A1	03-10	
BHC141064	2020-01-29	16/776326	2020-06-11	US-2020-		
PCT-US D				0181261-A1		
BHC141064	2020-01-29	16/776329	2020-05-21	US20200157		
PCT-US N				214		
BHC141064	2016-03-21	2017/07138				
PCT-ZA						
BHC141064	2016-03-21	105108621	2017-04-16	201713693	2021-	1719969
TW					03-01	

Table 2. Intellectual Property Rights from PCT/EP2019/080520 [Priority EP 18206206.7 filed on 2018-11-14]

BAYER Ref.: BHC181044

DKFZ Ref.: P-1426

File number	Application Date	Application No.	Publication Date	Publication No.	Issue Date	Patent No.
BHC181044 PCT-AU	2019-11-07	2019379261				
BHC181044 PCT-BR	2019-11-07	BR112021007 448-1				
BHC181044 PCT-CA	2019-11-07	3119563				
BHC181044 PCT-CN	2019-11-07	20198007452 27	2021-06-18	CN1129968 14A		
BHC181044 PCT-CN-HK	2021-08-30	62021037754 .0				
BHC181044 PCT-E-BA	2019-11-07	PCT/EP2019/ 080520				
BHC181044 PCT-E-ME	2019-11-07	PCT/EP2019/ 080520				
BHC181044 PCT-EP	2019-11-07	19797301.9	2021-09-22	3880705		
BHC181044 PCT-IL	2019-11-07	283064				
BHC181044 PCT-JP	2019-11-07	2021526335				
BHC181044 PCT-KR	2019-11-07	10-2021- 7014144				
BHC181044 PCT-MX	2019-11-07	MX/a/2021/0 05686				
BHC181044 PCT-NZ	2019-11-07	775274				
BHC181044 PCT-RU	2019-11-07	2021116879				
BHC181044 PCT-SG	2019-11-07	11202105078 X				
BHC181044 PCT-US	2019-11-07	17/293342				
BHC181044 PCT-ZA	2019-11-07	2021/04041				
BHC181044 WO	2019-11-07	PCT/EP2019/ 080520	2020-05-22	WO2020/0 99230		

Table 3. Intellectual Property Rights from PCT/EP2019/084849 [Priority EP 18214059.0 filed on 2018-12-19]

BAYER Ref.: BHC181055

DKFZ Ref.: P-1440

File number	Application Date	Application No.	Publication Date	Publication No.	Issue Date	Patent No.
BHC181055 PCT-AU	2019-12-12	2019407364				
BHC181055 PCT-BR	2019-12-12	1120210079688	2021-09-08	BR112021007968-8		
BHC181055 PCT-CA	2019-12-12	3123735				
BHC181055 PCT-CN	2019-12-12	201980078825.6	2021-07-23	CN113164778A		
BHC181055 PCT-CN-HK	2021-09-02	62021037999.1				
BHC181055 PCT-E-BA	2019-12-12	PCT/EP2019/084849				
BHC181055 PCT-E-ME	2019-12-12	PCT/EP2019/084849				
BHC181055 PCT-EP	2019-12-12	19816755.3				
BHC181055 PCT-IL	2019-12-12	283746				
BHC181055 PCT-JP	2019-12-12	2021-534355				
BHC181055 PCT-KR	2019-12-12	10-2021-7018157				
BHC181055 PCT-MX	2019-12-12	MX/a/2021/007369				
BHC181055 PCT-NZ	2019-12-12	775424				
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BHC181055	2019-12-12	11202104518W		
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PCT-US				
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PCT-ZA				
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