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**SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO**  
**DIVISION DE NUEVAS CREACIONES**

E. S. D.

**SUPERINDUSTRIA Y COMERCIO**  
Radicación : 04043885 00000002 Folios: 9  
Fecha (FMD): 2005-10-31 15:40:15  
Trámite : 011 DCI-PRONT 374 FASE NAL3 444 RESPUESTA  
Dependencia: 2020 DIVISION DE NUEVAS CREACIONES

**Re: Expediente No. 04 043885**

**Solicitud de patente PCT fase nacional**

**Solicitud internacional No. PCT/US02/36396**

**Solicitantes: AVENTIS PHARMACEUTICALS INC. y**

**AXYS PHARMACEUTICALS INC.-**

Yo, LUIS PATIÑO LEYVA, vecino de Bogotá D.C., portador de la tarjeta profesional No. 2698, obrando como apoderado sustituto en este negocio, me permito informar a usted que doy respuesta al Oficio No. 8028 notificado por estado el 9 de septiembre de 2005, en los siguientes términos:

Acompaño la certificación en la cual consta la existencia y representación de la sociedad Axys Pharmaceuticals, Inc., debidamente legalizada, en fotocopia autenticada.

Igualmente, adjunto la sustitución del poder a mi favor.

En vista de lo anterior, solicito se sirva continuar con el trámite de esta solicitud.

Señor Superintendente,

  
LUIS PATIÑO LEYVA

C.C. No. 2.930.616 de Bogotá

T.P. No. 2698

mm.

# Delaware

PAGE 1

256

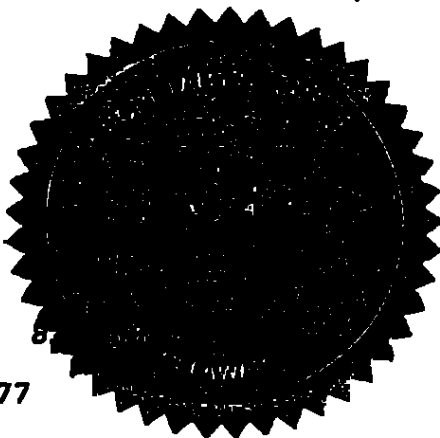
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "AXYS PHARMACEUTICALS, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-FOURTH DAY OF MAY, A.D. 2004.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "AXYS PHARMACEUTICALS, INC." WAS INCORPORATED ON THE NINETEENTH DAY OF APRIL, A.D. 1989.

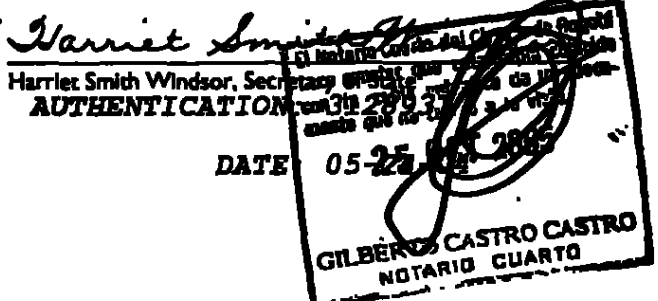
AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.



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# Apostille

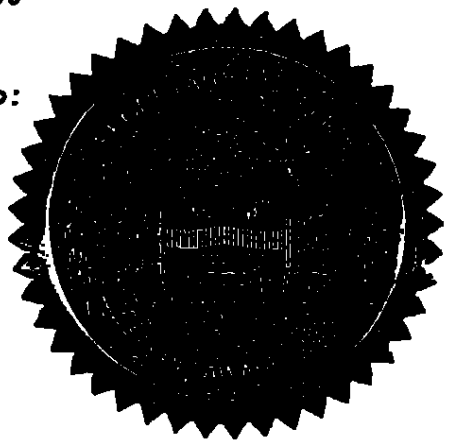
(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America
- This public document:
2. has been signed by Harriet Smith Windsor
3. acting in the capacity of Secretary of State of Delaware
4. bears the seal/stamp of Office of Secretary of State

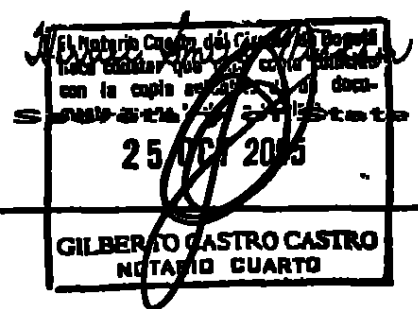
## Certified

5. at Dover, Delaware
6. the twenty-fourth day of May, A.D. 2004
7. by Secretary of State, Delaware Department of State
8. No. 0227780

9. Seal/Stamp:



10. Signature:



AXYS PHARMACEUTICALS, INC.

Secretary's Certificate

I, Thomas P. Livingston, the duly elected and acting Secretary of Axys Pharmaceuticals, Inc., a Delaware corporation (the "Company"), do hereby certify that Wayne W. Montgomery is, and has been at all times since March 13, 2002, the duly elected and qualified Assistant Secretary of the Company.

IN WITNESS WHEREOF, I have signed this Certificate this 13<sup>th</sup> day of October, 2005.

  
The undersigned, Thomas P. Livingston, Secretary of Axys Pharmaceuticals, Inc., a Delaware corporation, do hereby certify that the foregoing is a true and correct copy of the original document as the same appears in the records of the Company.  
25 OCT 2005  
GILBERTO CASTRO CASTRO  
NOTARIO GUAYMA

# State of California



SECRETARY OF STATE

## APOSTILLE

(Convention de La Haye du 5 octobre 1961)

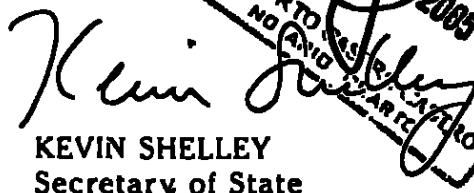
1. Country: United States of America  
This public document
2. has been signed by MADELEINE BRULEY
3. acting in the capacity of DEPUTY CLERK, County of SAN MATEO, State of California
4. bears the seal/stamp of the County of SAN MATEO, State of California

### CERTIFIED

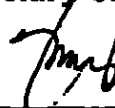
5. At San Francisco, California
6. The 20TH day of JANUARY, 2004
7. by Deputy Secretary of State, State of California
8. No. 59957
9. Seal/Stamp:

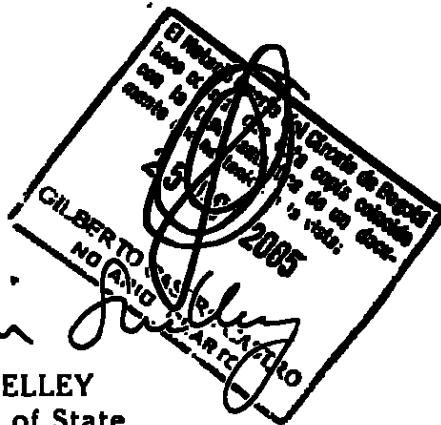


10. Signature

  
KEVIN SHELLEY  
Secretary of State

BY

  
Deputy



STATE OF CALIFORNIA  
COUNTY OF SAN MATEO    ss

I, WARREN SLOCUM, Assessor-County Clerk-Recorder, County of San Mateo, State of California, having by law a seal,

Do HEREBY CERTIFY, That MAURA LEE  
whose name is subscribed to the Certificate of the proof or acknowledgment of the annexed instrument and thereon written, was at the time of taking such proof or acknowledgment, a Notary Public in and for said County, residing therein, duly commissioned and sworn, and duly authorized by the laws of said state to administer oaths, take acknowledgments and proofs of deeds or conveyances for land, tenements or hereditaments in said State, to be recorded therein. And further that I am well acquainted with the handwriting of such Notary Public, and verily believe that the signature to said Certificate of proof or acknowledgment is genuine, and that said instrument is executed and acknowledged according to the laws of said State. I further certify that an impression of the seals of Notaries Public is not required by law to be filed in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the

Assessor-County Clerk-Recorder, this 20 day of January 20 04  
Year

WARREN SLOCUM  
WARREN SLOCUM, Assessor-County Clerk-Recorder

By Madeleine Brule  
Madeleine Brule  
Deputy Clerk for Assessor-County Clerk-Recorder, San Mateo  
GILBERTO CASTRO CASTRO  
NOTARY PUBLIC  
CUARTO

ALIF RNIA ALL-PURP SE ACKN WLEDGMENT

State of California

County of San Mateo

ss.

On January 13, 2004, before me, Maura Lee

Date

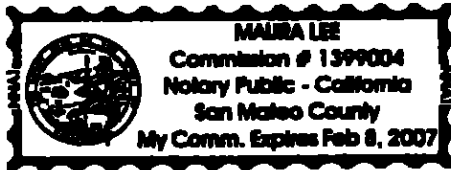
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Wayne W. Montgomery

Name(s) of Signer(s)

- ☒ personally known to me  
☐ 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.



WITNESS my hand and official seal.

Maura Lee  
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below 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: Power of Attorney (Columbia)

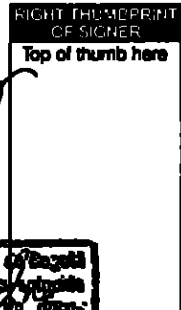
Document Date: January 13, 2004 Number of Pages: 2

Signer(s) Other Than Named Above: No Other Signers

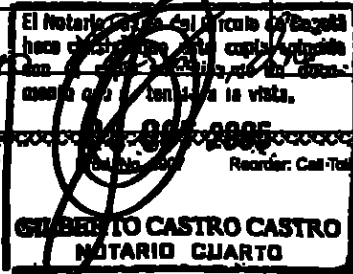
Capacity(ies) Claimed by Signer

Signer's Name: Wayne W. Montgomery

- ☐ Individual  
☒ Corporate Officer — Title(s): Assistant Secretary  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_



Signer Is Representing: Celera Genomics



G. HOLLMANN RESTREPO  
ABOGADOS LTDAG. HOLLMANN RESTREPO  
ABOGADOS LTDA

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The undersigned, acting on behalf of and representing of, AXYS PHARMACEUTICALS, INC., domiciled in, hereby appoint(s) GUSTAVO HOLLMANN RESTREPO and/or LUIS PATIÑO LEYVA, domiciled in Bogotá D.C., Republic of Colombia, as our true and legal attorney with the necessary powers:

1) To apply in the administrative, judicial and police authorities of the Republic of Colombia, in any instance or appeal, for obtaining registration of patents, utility models, industrial designs and models, commercial engravings and names, trademarks, slogans, health licenses, copyrights and domain names as well as their assignments, extensions, renewals and changes of name; 2) To prepare, apply for, obtain, execute and register contracts, licenses, authorizations and registrations of any kind; 3) To intervene as plaintiff or defendant, in any instance or appeal, before any judge, court, tribunal, corporation, public officer or authority in any judicial, administrative or police action, such as: action dealing with commercial engravings and names; oppositions against trademark registrations; caducity and nullity actions; recovery actions, actions arising from obtainment and working of license agreements; actions dealing with unfair competition; criminal actions; actions claiming indemnity for damages, complaints or remarks on all sort of industrial property matters; the performance of precautionary measures, and in any other similar action, measure or appeal related to intellectual property matters.

To this effect, I (we) hereby authorize him to file applications, make descriptions, protests, amendments, declarations, oppositions, cancellations, appeals and claims; to pay taxes, quotas and liens as provided by Law; to waive or abandon granted rights or rights in process of being granted, to receive all kind of documents and securities; to issue the respective releases and; in general, to take, before said authorities, pertinent steps to the above mentioned purposes and take all measures they may deem advisable to protect my (our) interests, with all other necessary legal faculties, and I (we) hereby declare as good and valid whatever the attorneys should do to my (our) benefit.

This power comprises the authority to ratify or confirm on my (our) behalf any action, as well as the faculty of receiving, desisting, transacting, compromising, substituting and revoking substitutions, taking modifications, and appointing judicial or extra-judicial attorneys.

Signed in on this 13 day of Jan. of 2004  
So. San Francisco

*Wayne W. Montgomery*

Wayne W. Montgomery  
Assistant Secretary

Yo (nosotros), obrando en nombre propio y representación de, AXYS PHARMACEUTICALS, INC., con domicilio en, nombre(amos) a GUSTAVO HOLLMANN RESTREPO y/o LUIS PATIÑO LEYVA, con domicilio en Bogotá D.C., República de Colombia, Cra 11ª No 94-76, Oficina 308, apoderado verdadero y legal, con poder especial, amplio y suficiente:

1) Para recabar de las oficinas y autoridades colombianas administrativas, judiciales y de policía en cualquier instancia o recurso, la obtención de patentes de invención, modelos de utilidad, dibujos y modelos industriales, registro de marcas, registro de lemas comerciales, depósito de nombres y enseñanzas comerciales, registros sanitarios, derechos de autor y nombres de dominio así como sus traspasos, prórrogas, renovaciones y cambios de nombre; 2) Elaborar, tramitar, solicitar, obtener, realizar, ejecutar y registrar contratos, licencias, autorizaciones y registros de cualesquiera clases; 3) Intervenir como demandante o como demandado en cualquier instancia y recurso y ante cualquier juez, entidad, corporación, funcionario público o autoridad en acciones judiciales, administrativas y de policía, tales como acciones derivadas de nombre o enseñanza comerciales; acciones reivindicatorias; acciones derivadas de la obtención o explotación de licencias; acciones de competencia desleal, demandas penales y civiles; acciones de indemnización de perjuicios, reclamos, u observaciones a cualquier asunto sobre propiedad intelectual; al ejercicio de medidas cautelares y cualesquiera otras acciones, medidas o recursos similares relacionados con la propiedad intelectual.

A este efecto, lo facultamos para elevar solicitudes, formular descripciones, enmiendas, protestas, declaraciones, oposiciones, cancelaciones, apelaciones y reclamos; pagar impuestos, cuotas y gravámenes prescritos por la Ley; renunciar o desistir a derechos concedidos o en curso de concesión; recibir toda clase de documentos y valores dando al descargo respectivo, y en general, para dar ante dichas autoridades todos los pasos necesarios al efecto indicado y tomar todas las medidas que creyeren conducentes al resguardo de mis (nuestros) intereses, con todas las facultades necesarias, y por este documento desde ahora declaro(amos) válido y bueno todo cuanto los apoderados hicieren en mi (nuestro) beneficio.

Este poder comprende la facultad de ratificar, o confirmar en mi (nuestro) nombre lo actuado, así como la facultad de recibir, desistir, transaccionar, comprometer, sustituir y revocar sustituciones, y nombrar apoderados.

Firmado en el día de

28 OCT 2005  
GILBERTO CASTRO CASTRO  
NOTARIO CUARTO

**SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO**  
**DIVISION DE NUEVAS CREACIONES**

E.                      S.                      D.

**REF: Expediente No. 04 043885**

**Solicitud de patente PCT/fase nacional**

**Solicitud internacional No. PCT/US02/36396**

**Solicitantes: AVENTIS PHARMACEUTICALS INC. y**

**AXYS PHARMACEUTICALS INC.**

**Yo, GUSTAVO HOLLMANN RESTREPO, mayor de edad, domiciliado en Bogotá D.C., portador de la tarjeta profesional No. 5903, atentamente digo a usted, que sustituyo el poder con que obro al doctor LUIS PATIÑO LEYVA, domiciliado en Bogotá D.C., portador de la tarjeta profesional No. 2698, con las mismas facultades con que me fue conferido para este caso.**

**Señor Superintendente,**

  
**GUSTAVO HOLLMANN RESTREPO**  
**C.C. No. 2.878.023 de Bogotá**  
**T.P. No. 5903**

**Acepto la sustitución,**

  
**LUIS PATIÑO LEYVA**  
**C.C. No. 2.930.616 de Bogotá**  
**T.P. No. 2698**

**AUTENTICACION DE FIRMA**  
**MEDIANTE COMPARECENCIA PERSONAL**  
(Art. 84 C.R.C. mod. Decr. 2282 de 1988, art. 1 mod. 38)  
Ante el Notario Cuarenta y Uno (41) del círculo  
de esta ciudad compareció personalmente:  
**SEBASTIÁN RIVERA**  
Identificado con C.C. **SEBASTIÁN RIVERA**  
expedida en: **BOGOTÁ** y tarjeta profesio-  
nal de abogado(a) No. **52102** del Consejo  
Superior de la Judicatura, con documento di-  
rigido a **SEBASTIÁN RIVERA**  
y declaró que la firma puesta en este escrito es  
suya.

  
En Bogotá D.C. a **14 de Mayo de 2005**  
AUTORIZÓ ESTA DILIGENCIA EL SUSCRITO NOTARIO



264

**REPUBLICA DE COLOMBIA**  
**SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO**

Folio 264

2020  
Bogotá D.C.,

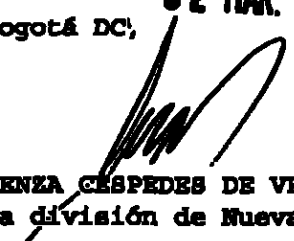
Doctor(a)  
HOLLMANN RESTREPO GUSTAVO  
Apoderado(a) y/o Representante de  
AVENTIS PHARMACEUTICALS INC.  
AKYS PHARMACEUTICALS INC.

|            |                            |            |
|------------|----------------------------|------------|
| REFERENCIA | Radicación No.             | 04 43885   |
|            | Solicitud internacional    | US02/36396 |
|            | Fecha inicio fase nacional | 14/06/2004 |
|            | Trámite                    | 11         |
|            | Evento                     | 379        |
|            | Actuación                  | 416        |
|            | Oficio No.                 | 82         |
|            | Folios                     | 1          |

Teniendo en cuenta que la solicitud de privilegio de patente que se tramita bajo el expediente indicado en la referencia, reúne los requisitos de forma establecidos en la Decisión 486 de la Comisión de la Comunidad Andina, el Tratado de Cooperación en Materia de Patentes (PCT), el Reglamento y la Circular Única de la Superintendencia de Industria y Comercio, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial.

Cúmplase  
Dado en Bogotá DC,

82 MAR. 2006

  
ALIX CARMENZA CÉSPEDES DE VERGEL  
Jefe de la división de Nuevas Creaciones

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