

Clarke, Modet & C^o

COLOMBIA

P-2159

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISION DE NUEVAS CREACIONES

E.

S.

D.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 09-035814- -00002-0000

Ref.: Expediente No. 09-035.814

Solicitud de Patente a nombre de

JANSSEN PHARMACEUTICA N.V.

Fecha: 2009-06-24 15:00:22 Dep. 2020 NUECREACION
Tra. 11 PATENTEIYII Eve: 379 FASENACIONALII
Act. 444 RESPUESTAREQUE Folios: 16

Yo, DILIA MARIA RODRIGUEZ D'ALEMAN, identificada como aparece al pie de mi firma, domiciliada en la Carrera 11 No. 86-53, piso 6, obrando como apoderada sustituta de la sociedad **JANSSEN PHARMACEUTICA N.V.**, domiciliada en Beerse, Bélgica, solicitante de la patente de la referencia, en respuesta al oficio No. 5648 notificado por fijación en lista el día 15 de mayo de 2009, me permito presentar los documento(s) en que consta la cesión del derecho a la patente otorgada por el inventor a favor de mi mandante.

Sobre el particular, es importante resaltar que de conformidad con las normas legales vigentes, artículo 1 de la Resolución 210 de 2001, expedida por el Superintendente de Industria y Comercio y artículo 2 de la Convención de la Haya, el documento en inglés que se pretenda aportar como parte de los trámites de propiedad industrial ante la Superintendencia de Industria y Comercio no requieren traducción. Por otro lado, la legalización consular y/o diplomática de los documentos expedidos en el extranjero no es necesaria. Por lo tanto, el documento de cesión anexo a este memorial es válidamente presentado en idioma inglés y con la correspondiente Apostilla.

Finalmente, aclaro a ese despacho que la solicitud de la referencia se tramitó en Fase Internacional bajo el capítulo II, razón por la cual rectifico que esta solicitud en fase nacional es capítulo I y no capítulo II. Por tal motivo, adjunto a este memorial copia de la Notificación relacionada con la transmisión de una copia del reporte de patentabilidad (capítulo I del Tratado de Cooperación de Patentes)

Espero con esto haber dado cabal cumplimiento a lo solicitado por ese despacho y de conformidad con lo indicado en los artículos 3°, inciso 3; 35, inciso 2 y 59, inciso 2 del CCA, al analizar este memorial, atentamente ruego se traten todas las cuestiones planteadas con motivo del mismo.

Señor Superintendente,

DILIA MARÍA RODRIGUEZ D'ALEMAN

C.C. 41.654.882 de Bogotá.

T.P. 20824 CSJ

Clarke, Modet & Cº

COLOMBIA

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO DIVISION DE NUEVAS CREACIONES

REF: Expediente No. 09.035.814

Solicitud de patente a nombre de Janssen Pharmaceutica N.V.

Yo, **JIMENA ESCOBAR URIBE**, identificada como aparece al pie de mi firma, domiciliada en la Carrera 11 No. 86-53 Piso 6, atentamente digo a usted que sustituyo el poder con que obro a la doctora **DILIA RODRIGUEZ D´ALEMAN**, domiciliada en Bogotá, D.C., portadora de la tarjeta profesional No. 20.824, con las mismas facultades con que me fueron conferidas para este caso.


JIMENA ESCOBAR URIBE

C.C. 39.779.452 de Usaquén

T.P. 68.228

Acepto sustitución

DILIA RODRIGUEZ D´ALEMAN

 C.C. 41.654.882 de Bogotá

T.P. 20.824

PRESENTACION PERSONAL

El anterior escrito fue presentado ante el
NOTARIO CRUCE DEL CIRCULO DE BOGOTA, D.C.
personalmente por **JIMENA ESCOBAR**

ORIBE
quien exhibió la c.c. **3777452**
y Tarjeta Profesional No. **68228** C.S.J.

Fecha

29 MAY 2009
Mano Dura



Guillermo Chávez Cárdenas

[Signature]
COLOMBIA
Guillermo Chávez Cárdenas
Notario del Circulo de Bogotá, D.C.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference TPI5080WOPCT	FOR FURTHER ACTION		See item 4 below
International application No. PCT/US2007/021502	International filing date (<i>day/month/year</i>) 05 October 2007 (05.10.2007)	Priority date (<i>day/month/year</i>) 06 October 2006 (06.10.2006)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant TRANSFORM PHARMACEUTICALS, INC.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| ☒ | Box No. I | Basis of the report |
| ☐ | Box No. II | Priority |
| ☐ | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| ☐ | Box No. IV | Lack of unity of invention |
| ☒ | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| ☐ | Box No. VI | Certain documents cited |
| ☐ | Box No. VII | Certain defects in the international application |
| ☐ | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 07 April 2009 (07.04.2009)
	Authorized officer Dorothee Mülhausen e-mail: pt01.pct@wipo.int

PCT/US2007/021502 13.03.2008

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
PHILIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NJ 08933

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

13 MAR 2008

Applicant's or agent's file reference
TPI5080WOPCT

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US 07/21502

International filing date (day/month/year)

05 October 2007 (05.10.2007)

Priority date (day/month/year)

06 October 2006 (06.10.2006)

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - A01N 47/10; A61K 31/27 (2008.01)
USPC - 514/489

Applicant TRANSFORM PHARMACEUTICALS, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Date of completion of this opinion

31 January 2008 (31.01.2008)

Authorized officer:

Lee W. Young

PCT Helpdesk: 571-272-4300
PCT OSP: 571-272-7774

Form PCT/ISA/237 (cover sheet) (April 2007)

42

4

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US 07/21502

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed.
☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed
☐ filed together with the international application in electronic form
☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US 07/21502

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-17	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	NONE	YES
	Claims	1-17	NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims	NONE	NO

2. Citations and explanations:

Claims 1-16 lack an inventive step under PCT Article 33(3) as being obvious over US 6,103,759 A to Choi et al. (hereinafter 'Choi') in view of WO 2005/016900 A1 to Lopez et al. (hereinafter 'Lopez') and further in view of US 6,627,642 B1 to Kimura et al. (hereinafter 'Kimura').

Regarding claims 1 and 14-16, Choi discloses (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate (col 3, In 23 to col 4, In 31), effective in the treatment of disorders of the central nervous system, especially as anti-convulsive or anti-epileptic agents (Abstract). A method of treating a human suffering from convulsions or epilepsy comprises the oral administration of an effective amount of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate combined with a pharmaceutical carrier (col 7, In 12-31; Claims 10-11). Choi does not expressly disclose a beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate. Lopez further discloses the hydrogen succinate salt of 4-((1R,3S)-6-chloro-3-phenylindan-1-yl)-1,2,2-trimethylpiperazine, methods of preparation thereof, and pharmaceutical compositions containing this salt for the treatment of schizophrenia [a CNS disease] (pg 1, In 5-11), and migraine (pg 3, In 10-14). One embodiment relates to the alpha crystalline form of the hydrogen succinate salt of 4-((1R,3S)-6-chloro-3-phenylindan-1-yl)-1,2,2-trimethylpiperazine which is characterized by X-ray powder diffraction and differential scanning calorimetry showing an endothermic transition. A further embodiment relates to the beta crystalline form of the hydrogen succinate salt of 4-((1R,3S)-6-chloro-3-phenylindan-1-yl)-1,2,2-trimethylpiperazine which is characterized by X-ray powder diffraction and differential scanning calorimetry showing an endothermic transition (pg 5, In 10-23). It would have been obvious to one of ordinary skill in the art to add the teachings of Lopez concerning a pharmaceutical composition utilizing different crystalline forms of a salt for the treatment of a CNS disease to the teachings of Choi concerning a pharmaceutical composition utilizing (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate for the treatment of a CNS disease as the technology is so similar (i.e., both teach a pharmaceutical composition utilizing a therapeutic for the treatment of a CNS disease), in order to practice the claim as described without undue experimentation and with regard to design choice. This would have provided for variation of the therapeutic crystalline form in order to have optimized formulation parameters, such as solubility and stability; such methodology being routine practice in the art. The combination of Choi and Lopez does not expressly disclose a specific motivation for utilizing one crystalline form over the other. Kimura further discloses a quinolinone derivative in the beta crystal form, useful as a pharmaceutical, and particularly as an antiallergic, possessing superior bioabsorption and stability (col 1, In 35-41). A formulation is disclosed comprising the quinolinone derivative in the beta crystal form (col 1, In 50 - col 2, In 23). The beta crystal form demonstrates superior bioabsorption as compared with the alpha crystal form. Thus, a pharmaceutical formulation having for its active ingredient the beta crystal form demonstrates the most superior bioabsorption and stability as compared to the other known crystalline forms (col 1, In 41-50). The various crystalline forms are characterized by X-ray powder diffraction and differential scanning calorimetry showing an endothermic transition (col 3, In 28-39; col 4, In 20 to col 5, In 27). It would have been obvious to one of ordinary skill in the art to add the teachings of Kimura concerning a pharmaceutical formulation having as its active ingredient the therapeutic in the beta crystal form, which demonstrates superior bioabsorption and stability as compared to the other known crystalline forms, to the teachings of the combination of Choi and Lopez concerning a pharmaceutical composition utilizing either the alpha or the beta crystalline form of the therapeutic for the treatment of a CNS disease as the technology is so similar (i.e., both the combination of Choi and Lopez, as well as Kimura, teach a pharmaceutical composition utilizing the beta crystalline form of the therapeutic for the treatment of a disease), in order to practice the claim as described without undue experimentation and with regard to design choice.

Regarding claims 2-11, see the discussion set forth above for claim 1. The combination of Choi, Lopez and Kimura does not expressly disclose a powder X-ray diffraction pattern having powder X-ray diffraction peaks at specific degrees 2-theta for the beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate. The characterization of the different crystalline forms of polymorphs utilizing a powder X-ray diffraction pattern was routine practice and well-known in the art at the time the invention was made. The characterization of the beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate utilizing a powder X-ray diffraction pattern would not have involved an inventive step, nor undue experimentation, to one of ordinary skill in the art at the time the invention was made.

Regarding claims 12-13, see the discussion set forth above for claim 1. The combination of Choi, Lopez and Kimura does not expressly disclose where the beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate is characterized by specific differential scanning calorimetry measurements showing a specific endothermic transition. The characterization of the different crystalline forms of polymorphs utilizing differential scanning calorimetry showing an endothermic transition was routine practice and well-known in the art. The characterization of the beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate utilizing differential scanning calorimetry showing an endothermic transition would not have involved an inventive step, nor undue experimentation, to one of ordinary skill in the art at the time the invention was made.

continued in Supplemental Box

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No. -

PCT/US 07/21502

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Box No. V 2. Citations and explanations:

Claim 17 lacks an inventive step under PCT Article 33(3) as being obvious over Choi in view of Lopez and Kimura and further in view of the article entitled "Preparation and characterisation of a new insoluble polymorphic form of glibenclamide" by Panagopoulou-Kaplani et al. (hereinafter 'Panagopoulou-Kaplani').

Regarding claim 17, see the discussion set forth above for claim 1. The combination of Choi, Lopez and Kimura discloses a method of making the beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate utilizing various recrystallization techniques (Kimura - col 6, ln 25-34). The combination of Choi, Lopez and Kimura does not expressly disclose a method of making the beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate comprising the steps of heating (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate to a specific temperature in a sealed container, cooling the material, and collecting the beta crystalline product [sublimation]. Panagopoulou-Kaplani further discloses a new crystalline form of glibenclamide, with higher melting point (218 degrees C) and lower solubility in simulated gastric and intestinal fluids, was arisen during an attempt to elucidate transitional phases by melting, cooling and reheating. The new form was obtained from the glassy state, by applying sublimation at 130 to 160 degrees C and was characterized by differential scanning calorimetry (DSC), X-ray powder diffraction (XRD) and solubility studies (Abstract). It would have been obvious to one of ordinary skill in the art to add the teachings of Panagopoulou-Kaplani concerning a method of making different crystalline forms of therapeutics comprising the steps of heating the therapeutic to a specific temperature in a sealed container, cooling the material, and collecting the new crystalline form of the therapeutic [sublimation] to the teachings of the combination of Choi, Lopez and Kimura concerning methods of making the beta crystalline form of (S)-(+)-2-(2-chlorophenyl)-2-hydroxy-ethyl carbamate utilizing various recrystallization techniques as the technology is so similar (i.e., both the combination of Choi, Lopez and Kimura, as well as Panagopoulou-Kaplani, teach physical methods of making new crystalline forms of therapeutics), in order to practice the claim as described without undue experimentation and with regard to design choice.

Claims 1-17 have industrial applicability as defined by PCT Article 33(4) because the subject matter can be made or used in industry.

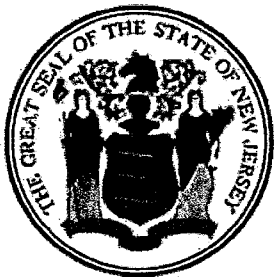
APOSTILLE

(CONVENTION DE LA HAYE DU 5 OCTOBRE 1961)

1. COUNTRY: UNITED STATES OF AMERICA
2. THIS PUBLIC DOCUMENT HAS BEEN SIGNED BY:
AMANDA LIN HAYNES
3. ACTING IN THE CAPACITY OF:
NOTARY PUBLIC OF NEW JERSEY
4. BEARS THE SEAL/STAMP OF:
AMANDA LIN HAYNES, NOTARY

CERTIFIED

5. AT TRENTON, NEW JERSEY
6. THE 16TH DAY OF JUNE 2009
7. BY: R. David Rousseau, NEW JERSEY TREASURER
8. NO: A366063
9. SEAL/STAMP:
10. SIGNATURE



A handwritten signature in black ink, appearing to read "R. David Rousseau", is written over a horizontal line.

Certificate Number: 114626097

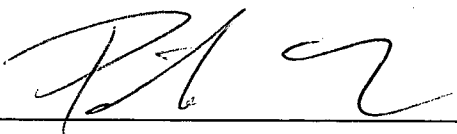
Verify this certificate at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

TPI5080COPCT

CERTIFICATION

I hereby certify that the attached document is a true copy of
the original Assignment of Transform Pharmaceuticals, Inc. and
Janssen Pharmaceutica NV



Peter He

Sworn to and subscribed
before me this
20 day of MAY, 2009



AMANDA LIN HAYNES
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 10/28/2013

ASSIGNMENT

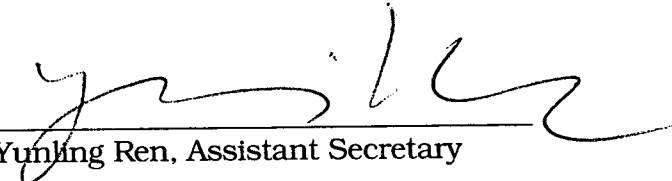
WHEREAS, **TRANSFORM PHARMACEUTICALS, INC.** ("Assignor"), a **DELAWARE** corporation, having a place of business at **29 HARTWELL AVENUE, LEXINGTON, MA 02319**, owns rights, title and interest in and to certain United States patent applications as set forth in Exhibit A, which Exhibit A is attached hereto and hereby made a part hereof; and

WHEREAS, **JANSSEN PHARMACEUTICA NV** ("Assignee"), a **BELGIUM** corporation, having a place of business at **TURNHOUTSEWEG 30, BEERSE B-2340, BELGIUM**, is desirous of acquiring the rights, title and interest in and to said patent applications:

NOW, THEREFORE, BE IT KNOWN, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged said Assignor has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer, and set over, unto said Assignee, its successors and assigns, the entire right, title and interest in and to each and all United States Letters Patents listed in Exhibit A, hereto annexed, and in and to all extensions, renewals and reissues thereof, including without limitation of generality, any and all chooses in action and any and all claims and demands, both at law and in equity, that said Assignor has or may have for damages or profits accrued or to accrue on account of the infringement of any of said Letters Patents, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be signed by its duly authorized officer this 2 day of April, 2009.

TRANSFORM PHARMACEUTICALS, INC.

By: 

Yunling Ren, Assistant Secretary

STATE OF New Jersey:

COUNTY OF Middlesex:

BE IT REMEMBERED, that on this 2nd day of April, 2009, before me,
a Notary Public in and for said county, appeared
Yunking Ren, who is personally known to be the same
person whose name is subscribed to the foregoing assignment document, and
acknowledged that he signed and delivered the document and his free and
voluntary act for the uses and purposes therein set forth.

Geraldine A. Bailey
Geraldine A. Bailey, Notary Public

My Commission Expires: 14 January 2014

GERALDINE A. BAILEY
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 1/14/2014

EXHIBIT A

Patent Appl. No.	Filing Date	Publication	Pub. Date
60/828392	10/06/2006		
11/867803	10/05/2007	US-2008-0085930-A1	04/10/2008
PCT/US2007/021502	10/05/2007	WO2008/045391	04/17/2008
60/828785	10/10/2006		
11/868040	10/05/2007	US-2008-0194860-A1	08/14/2008
PCT/US2007/021423	10/05/2007	WO2008/06384	05/29/2008

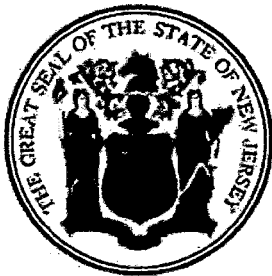
APOSTILLE

(CONVENTION DE LA HAYE DU 5 OCTOBRE 1961)

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AMANDA LIN HAYNES
3. ACTING IN THE CAPACITY OF:
NOTARY PUBLIC OF NEW JERSEY
4. BEARS THE SEAL/STAMP OF:
AMANDA LIN HAYNES, NOTARY

CERTIFIED

5. AT TRENTON, NEW JERSEY
6. THE 16TH DAY OF JUNE 2009
7. BY: R. David Rousseau, NEW JERSEY TREASURER
8. NO: A366063
9. SEAL/STAMP:
10. SIGNATURE



A handwritten signature, likely of R. David Rousseau, is written over a horizontal line.

Certificate Number: 1146260810

Verify this certificate at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

TPI5080COPCT

CERTIFICATION

I hereby certify that I have compared the attached document with the original, and that such said document is a true copy of the original Assignment document as filed in the U.S. Patent Office in connection with USSN 60/828,392 filed OCTOBER 6, 2006.



Peter He

Sworn to and subscribed
before me this
20 day of May, 2009



AMANDA LIN HAYNES
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 10/28/2013

A S S I G N M E N T

WHEREAS, **MATTHEW PETERSON**, residing at 25 Downey Street, Hopkinton, Massachusetts 01748 (hereinafter called "Assignor"), has made certain new and useful inventions or discoveries relating to

NOVEL CRYSTAL OF (S)-(+)-2-(2-CHLOROPHENYL)-2-HYDROXY-ETHYL CARBAMATE

for which he has executed an application for Letters Patent of the United States; and

WHEREAS, **TRANSFORM PHARMACEUTICALS, INC.**, a corporation of the State of **DELAWARE**, (hereinafter called "Assignee"), is desirous of acquiring the entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations, the receipt of which is hereby acknowledged, Assignor have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made;

And Assignor hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignor covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

And for the consideration aforesaid, Assignor further covenant and agree that he will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, ~~testify in any interference or legal proceedings involving said~~ inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said

inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignors have hereunto set their hands and seals this 6th day of April, 2009

Matthew Peterson

(L.S.)

MATTHEW PETERSON

STATE OF ()
COUNTY OF ()

BE IT REMEMBERED, That on this 6th day of April 2009 before me, a Notary Public, personally appeared and, who I am satisfied are the persons named in and who executed the foregoing instrument in my presence, and I having first made known to them the contents thereof, they did acknowledge that they signed, sealed, and delivered the same as their voluntary act and deed for the uses and purposes therein expressed.

(Notary Public)



BENJAMIN O. SAMUEL
Notary Public
Commonwealth of Massachusetts
My Commission Expires 08/09/2014



2020
Bogotá D.C.,

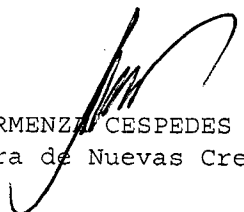
Doctor(a)
RODRIGUEZ D'ALEMAN DILIA MARIA
Apoderado(a) y/o Representante de
JANSSEN PHARMACEUTICA N.V.

REFERENCIA	Radicación No.	9 35814
	Solicitud internacional	PCT/US2007/021502
	Fecha inicio fase nacional	06/05/2009
	Trámite	11
	Evento	379
	Actuación	416
	Oficio No.	10516
	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,

20 MAYO 2010


ALIX CARMENZA CESPEDES DE VERGEL
Directora de Nuevas Creaciones (c)

jfernand