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Señora Jefe de la

DIVISION DE NUEVAS CREACIONES

Superintendencia de Industria y Comercio

E. S. D.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 09-056352- -00003-0000

Fecha: 2009-10-07 16:32:46 Dep. 2020 NUECREACIONES
Tra. 11 PATENTEIYII Eve: 378 FASENACIONAL
Act. 444 RESPUESTAREQUE Folios: 30

Trámite : 011

Evento : 378

Actuación : 444

Referencia : Expediente No. **09.056.352**

Asunto : Solicitud de patente para: **AMIDAS DE DIAZABICICLOALCANOS SELECTIVAS DEL SUBTIPO DEL RECEPTOR NICOTÍNICO DE ACETILCOLINA**

Solicitante : **TARGACEPT, INC.**

Fecha solicitud: 1° de junio de 2009

1. Yo, Luz Clemencia de PÁEZ obrando como apoderada principal del solicitante, ratifico lo actuado en el expediente de la referencia por el doctor Emilio FERRERO y me refiero al Oficio No. 6784, notificado por fijación en lista del 12 de junio de 2009. Para atender a la mencionada providencia solicitamos un plazo adicional de dos (2) meses mediante memorial radicado el 11 de agosto de 2009.

2. Mediante el Oficio No. 6784 se puso en conocimiento del solicitante el resultado del examen de forma realizado por ese Despacho, requiriéndole para completar los siguientes requisitos:

2.1. Poder otorgado por el solicitante: Presento con este escrito el poder conferido a mi favor por la sociedad **TARGACEPT, INC.**, debidamente notariado y legalizado por

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Apostilla. Así mismo presento el documento que acredita la existencia y representación legal de la mencionada compañía, el cual forma parte integral del poder. De estos documentos se acompaña la correspondiente traducción oficial al español.

- 2.2. Cesión del derecho a la patente de los inventores a las solicitantes: Acompaño con el presente escrito un (1) documento en que consta la cesión del derecho a la patente de los diez (10) inventores a favor de la sociedad **TARGACEPT, INC.**, debidamente notariado y legalizado por Apostilla, junto con la respectiva traducción oficial al español.

3. Puesto que se han atendido a cabalidad las observaciones hechas por su Despacho sobre la presente solicitud de patente, atentamente solicito que se continúe su tramitación.

Señora Jefe,

Luiz Clemencia Sobrera
LUZ CLEMENCIA DE PÁEZ

T.P.A. No. 23.555

COLO-15769-841-002-2
JGG\JGG\ID-159342\WPC15769
No. M-2009-159342\JGG

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STATE OF NORTH CAROLINA



Department of The
Secretary of State

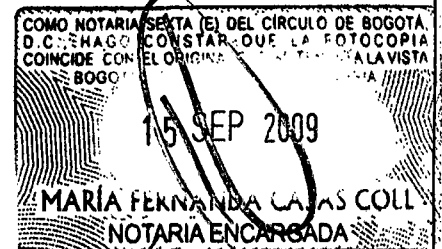
APOSTILLE

(Convention de La Haye 5 octobre 1961)

1. COUNTRY: UNITED STATES OF AMERICA
2. This Public Document
has been signed by JULIE P. CRAYNE
3. acting in the capacity of NOTARY PUBLIC
COMMISSION EXPIRES 6/21/2012
4. bears the seal/stamp of COUNTY OF FORSYTH, NORTH CAROLINA

CERTIFIED

5. at Raleigh, North Carolina
6. the 5TH DAY OF AUGUST, 2009
7. by Secretary of State or Deputy Secretary of State, State of North Carolina
8. No. 19632
9. Seal/Stamp
10. Signature



Claine J. Marshall
Claine J. Marshall

Secretary of State

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EDIFICIO SISKI
CARRERA 4a N° 72-35
BOGOTÁ, 8 - COLOMBIA

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Representación y Poder con autenticación notarial y Apostille para patentes, modelos de utilidad, diseños industriales, marcas de fábrica, nombres comerciales, enseñas, nombres de dominio, lemas comerciales, licencias.

Representation and Power-of-Attorney with notarial authentication and Apostille for patents, utility models, industrial designs, trademarks, commercial names, trade emblems, domain names, slogans, licenses.

REPRESENTACION Y PODER

REPRESENTATION AND POWER-OF-ATTORNEY

Yo (nosotros), abajo firmado (s)/I (we), the undersigned

TARGACEPT, INC.

domiciliado (s) en/of 200 East First Street, Suite 300, Winston-Salem, North Carolina 27101-4165, United States of America

Hereby ratify the patent application No. 09.056.352 filed by Emilio Ferrero on June 1, 2009, and,

por el presente nombramos a LUZ CLEMENCIA DE PAEZ, tpa. 23555 DANIEL PEÑA, tpa.65620 y GERMAN

MARIN tpa. 64239, domiciliados en la Carrera 4a N° 72-35, Bogotá, Colombia, en obediencia a lo dispuesto en el parágrafo 1o del Artículo 543 del Código de Comercio, el primero como principal y los demás como suplentes, en su orden, como mis (nuestros) representantes en todos los asuntos de propiedad industrial con facultad para recibir notificaciones y nombrar apoderados judiciales o extrajudiciales. El primer representante suplente reemplazará al principal en caso de ausencia o impedimento temporal o definitivo de aquél. La misma regla se aplicará cuando el segundo representante suplente haya de reemplazar al primero, o el tercero al segundo. En tales casos, el representante principal, o el primero, o segundo suplente, en su caso, o ambos, declararán su intención de no ejercer la representación mediante declaración autenticada por Notario Público en Colombia, o por Notario u otro Funcionario Público, o Cónsul de Colombia, en el extranjero; y si se tratare de impedimento, con el certificado respectivo. Si alguno de los nombrados faltare definitivamente, el siguiente tomará su lugar. Cuando cesare la ausencia o impedimento

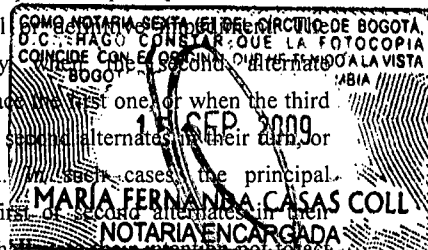
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WPC15769 / ID.149642

in due compliance with the terms of paragraph 1st. of article 543 of the Commercial Code, do hereby appoint LUZ CLEMENCIA DE PAEZ, tpa. 23555 DANIEL PEÑA, tpa.65620 y GERMAN MARIN tpa. 64239

domiciled at Carrera 4a N° 72-35, Bogotá, Colombia, the first as principal and the others as alternates, in the order of their appointment, as our representatives for all industrial property matters with faculty to receive notifications and to appoint attorneys in and out of Court. The first alternate shall replace the principal in case of his absence or of temporal same rule will apply

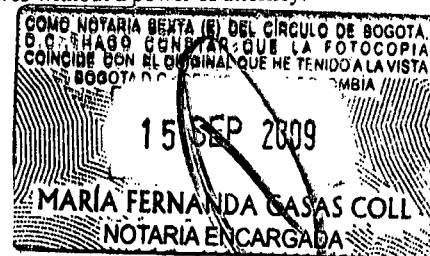
representative is to replace the first one, or when the third is to replace the first or second alternates in their turn, or both of them, second. In such cases, the principal representative, or the first or second alternates in their turn, or both of them, shall state their intention not to act as representatives through a declaration given before a Notary Public in Colombia, or before a Notary or another Public Official or a Colombian Consul abroad; and in case of impediment, the appropriate certificate shall suffice. If any of the appointees were to be definitely absent, the



del representante principal, o de su primero o segundo suplentes, en su caso, podrán ejercer la representación, en su orden, uno u otros según el caso, asumiéndola por el solo hecho de ejercerla, cesando en ese momento el ejercicio de la representación por el primero, segundo o tercer suplente en su caso.

Además, confiero (conferimos) poder a los abogados arriba nombrados, para obtener la protección de mi (nuestra) propiedad industrial y contra la competencia desleal, a cuyo efecto autorizo (amos) a los dichos apoderados para que me (nos) representen ante cualesquiera entidades o personas, ejerzan o no jurisdicción, especialmente ante las del orden administrativo, contencioso- administrativo y judicial, así como los tribunales de arbitramento, en todo lo concerniente a los siguientes asuntos: a) Obtención de patentes de invención, modelos de utilidad y diseños industriales; el registro de marcas de fábrica, colectivas, defensivas, de servicio, lemas comerciales, nombres comerciales, enseñanzas, nombres de dominio, variedades vegetales y denominaciones de origen; su renovación, traspaso, cambio de nombre o domicilio, cancelación voluntaria; y el registro de licencias de uso de esos derechos; b) Las acciones de competencia desleal, protección del consumidor, oposiciones u observaciones, cancelación administrativa y judicial, nulidad, medidas cautelares, concesión de licencias, la tutela, la protección de secretos industriales, y en general los juicios civiles, penales, administrativos o contencioso-administrativos relacionados con estos derechos; acciones y procesos que promovamos o se nos promuevan. Y para que en todos los asuntos arriba determinados, puedan sustituir este mandato, transigir, conciliar, admitir los hechos del proceso, desistir, cancelar, recibir, renunciar, y ratificar los actos de agentes oficiosos.

following alternate shall take his place. When the absence or impediment of the principal representative, or of the first or second alternate in their turn ceases, the representation can be taken again in their sequence, by the principal, the first or second alternate depending on case, and the mere fact or its exercise will suffice. The exercise of the representation by the first, second or third alternates in their turn shall end at such time. In addition, we grant a Power of Attorney in favor of the above-named attorneys-at-law so that they may obtain the protection of my (our) industrial property and against the unfair competition, for which purpose I (we) authorize the said attorneys to represent me (us) before any authorities or persons, with or without jurisdiction, specially those administrative, administrative contentious and judicial, as well as before Arbitration Court, in all matters concerning the following: a) Obtainment of patents, utility models and industrial designs; the registration of trademarks, collective, defensive and service marks, slogans, commercial names, trade emblems, domain names, vegetal varieties and denominations of origin; its renewal, assignment, change of name or domicile, voluntary cancellation; and the registration of licenses of use of the above rights; b) Actions of unfair competition, protection to the consumer, oppositions or observations, administrative or Court cancellation, nullity, infringement, granting of licenses, the action for writ mandamus, the protection of trade secrets, and in general the civil, penal, and administrative suits relating to those rights; actions and suits instituted by me (us) or against me (us). And that in all the above matters they may substitute this Power of Attorney, compromise, conciliate, admit the facts of the case, desist, cancel, receive, resign, and ratify acts done by representatives without a power of attorney.



Dado y firmado hoy/Given and signed this
[ENTER DATE:]

3 August 2009

en/in: Winston-Salem, North Carolina

por/by: Targacept, Inc.

Firma/Signature:

William S. Caldwell

William S. Caldwell, Ph.D

Vice President, Drug Discovery & Development

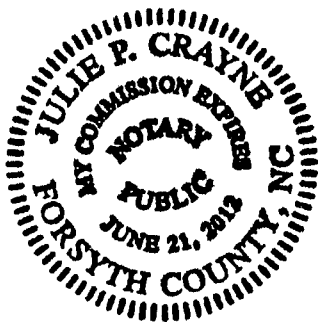
STATE OF NORTH CAROLINA

COUNTY OF Forsyth

I, the undersigned Notary Public for the aforesaid jurisdiction, do hereby certify that William S. Caldwell personally appeared before me this day as Vice President, Drug Discovery & Development, of Targacept, Inc., duly authorized, and acknowledged the due execution of the foregoing document.

Date: 3 day of August, 2009

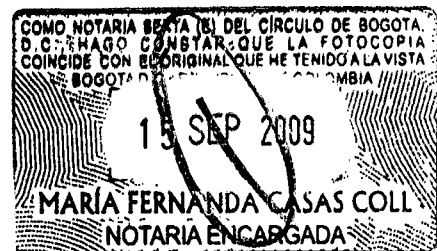
(Official Seal)



Julie P. Crayne
Official Signature of Notary

Julie P. Crayne, Notary Public
Notary's printed name

My commission expires: June 21, 2012



Delaware

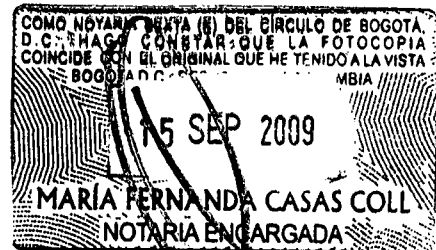
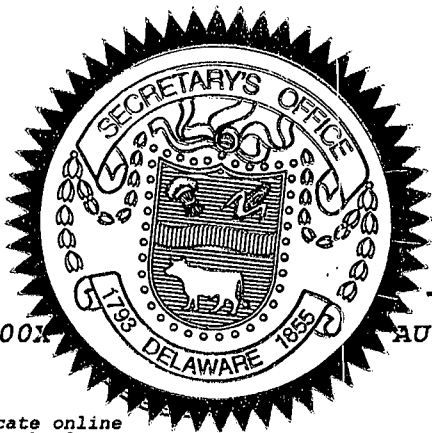
PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS FILED FROM AND INCLUDING THE RESTATED CERTIFICATE OR A MERGER WITH A RESTATED CERTIFICATE ATTACHED OF "TARGACEPT, INC." AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

RESTATED CERTIFICATE, FILED THE EIGHTEENTH DAY OF APRIL, A.D. 2006, AT 11:43 O'CLOCK A.M.



2725940 8100X

090733780

You may verify this certificate online
at corp.delaware.gov/authver.shtml

Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 7443551

DATE: 07-28-09

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**FOURTH AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
TARGACEPT, INC.**

Pursuant to Section 242 and Section 245 of the General Corporation Law of Delaware (the "DGCL"), the undersigned corporation hereby submits the following for the purpose of amending and restating its Certificate of Incorporation, as amended, and does hereby certify as follows.

1. The name of the corporation is Targacept, Inc. The corporation's original Certificate of Incorporation was filed on March 7, 1997.

2. The corporation's Certificate of Incorporation is hereby amended and restated in its entirety as set forth in the text of the Fourth Amended and Restated Certificate of Incorporation attached hereto as Exhibit A.

3. This Fourth Amended and Restated Certificate of Incorporation was duly adopted in accordance with Sections 245(c), 242 and 228 of the DGCL and will be effective upon filing.

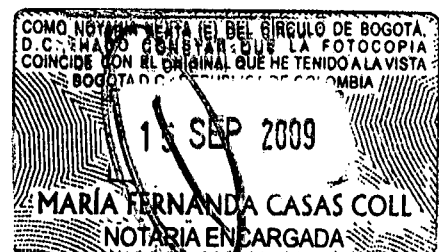
IN WITNESS WHEREOF, said Targacept, Inc. has caused this Fourth Amended and Restated Certificate of Incorporation to be signed by its President and Chief Executive Officer, this 18 day of April 2006.

TARGACEPT, INC.

By: 

J. Donald deBethizy

President and Chief Executive Officer



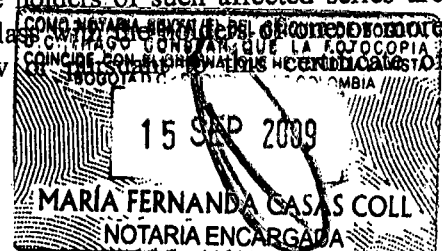
State of Delaware
Secretary of State
Division of Corporations
Delivered 11:47 AM 04/18/2006
FILED 11:43 AM 04/18/2006
SRV 060358269 - 2725940 FILE

RESTATED CERTIFICATE OF INCORPORATION
OF
TARGACEPT, INC.

SECOND: The address, including street, number, city and county of the registered office of the corporation in the State of Delaware, is 2711 Centerville Road, Suite 400, City of Wilmington 19808, County of New Castle; and the name of the registered agent of the corporation in the State of Delaware at such address is Corporation Service Company.

FOURTH:

1. The total number of shares that the corporation is authorized to issue is One Hundred Five Million (105,000,000), of which: (1) One Hundred Million (100,000,000) shares shall be designated as Common Stock, \$0.001 par value per share ("**Common Stock**"); and (2) Five Million (5,000,000) shares shall be designated as Preferred Stock, \$0.001 par value per share ("**Preferred Stock**").
2. The board of directors of the corporation (the "**Board**") is authorized, subject to any limitations prescribed by law, to provide for the issuance of shares of Preferred Stock in one or more series, to establish from time to time the number of shares to be included in each such series, to increase or decrease the number of shares of any series subsequent to the issue of shares of that series, but not below the number or shares of such series then outstanding, and to fix the designation, powers, preferences, relative, participating optional or other special rights, and any qualifications, limitations and restrictions of the shares of each such series. In case the number of shares of any series shall be so decreased, the shares constituting such decrease shall resume the status that they had prior to the adoption of the resolution originally fixing the number of shares of such series.
3. Each outstanding share of Common Stock shall entitle the holder thereof to one vote on each matter properly submitted to the stockholders of the corporation for a vote; provided, however, that, except as otherwise required by law, holders of Common Stock shall not be entitled to vote on any amendment (including any certificate of designation relating to any series of Preferred Stock) to this certificate of incorporation that relates solely to the terms of one or more outstanding series of Preferred Stock if the holders of such affected series are entitled, either separately or together as a class, to vote thereon by law.



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incorporation (including any certificate of designation relating to any series of Preferred Stock).

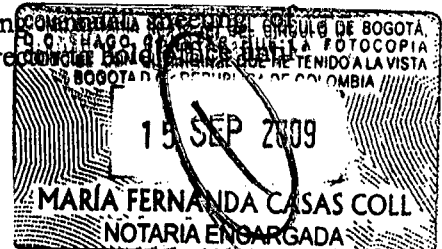
FIFTH: The corporation is to have perpetual existence.

SIXTH: For the management of the business and for the conduct of the affairs of the corporation, and in further definition, limitation and regulation of the powers of the corporation and of its directors and of its stockholders or any class thereof, it is further provided:

1. The business and the conduct of the affairs of the corporation shall be managed by or under the direction of the Board.
2. Any action required or permitted to be taken by the stockholders of the corporation must be effected at a duly called annual or special meeting of stockholders of the corporation and may not be effected by any written consent by such stockholders.
3. Special meetings of stockholders of the corporation may be called only by the Chairman of the Board, the Chief Executive Officer, the President or the Board acting pursuant to a resolution adopted by a majority of the Whole Board and any power of stockholders to call a special meeting of stockholders is specifically denied. Only such business as shall have been stated in the notice of a special meeting of stockholders shall be considered at such special meeting. For purposes of this certificate of incorporation, the "**Whole Board**" shall mean the total number of directors then fixed in accordance with this certificate of incorporation, whether or not there are any vacancies.

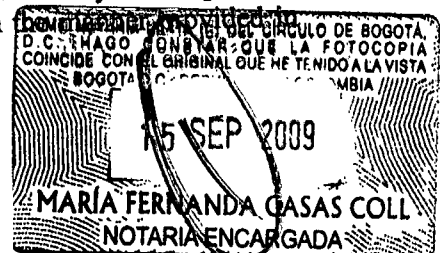
SEVENTH:

1. Subject to any rights of the holders of any series of Preferred Stock to elect additional directors under specified circumstances, the number of directors shall be fixed from time to time exclusively by the Board. The directors, other than those who may be elected by the holders of any series of Preferred Stock under specified circumstances, shall be divided into three classes, as nearly equal in number as possible, with the term of office of the first class to expire at the corporation's first annual meeting of stockholders following the initial classification of the Board upon the effectiveness of this certificate of incorporation, with the term of office of the second class to expire at the corporation's second annual meeting of stockholders following the initial classification of the Board upon the effectiveness of this certificate of incorporation and with the term of office of the third class to expire at the corporation's third annual meeting of stockholders following the initial classification of the Board upon the effectiveness of this certificate of incorporation, and thereafter for each such term to expire at each third succeeding annual meeting of stockholders after such election and with each director elected by the holders of any series of Preferred Stock to hold office for the term of office of the class to which he is elected.



his or her successor shall have been duly elected and qualified. At each annual meeting of stockholders, directors elected to succeed those directors whose terms expire shall be elected for a term of office to expire at the third succeeding annual meeting of stockholders after their election, with each director to hold office until his or her successor shall have been duly elected and qualified or until his or her death, retirement, resignation or removal.

2. Newly created directorships resulting from any increase in the authorized number of directors or any vacancies in the Board resulting from death, retirement, resignation, removal from office or other cause may be filled only by a majority vote of the directors then in office even though less than a quorum, or by a sole remaining director, and not by the stockholders. In the event of any increase or decrease in the authorized number of directors, (a) each director then serving as such shall nevertheless continue as a director of the class of which he or she is a member until the expiration of his or her current term or his or her prior death, retirement, resignation or removal and (b) the newly created or eliminated directorships resulting from such increase or decrease shall if reasonably possible be apportioned by the Board among the three classes of directors so as to ensure that no one class has more than one director more than any other class. To the extent reasonably possible, consistent with the foregoing rule, any newly created directorships shall be added to those classes whose terms of office are to expire at the latest dates following such allocation and newly eliminated directorships shall be subtracted from those classes whose terms of office are to expire at the earliest dates following such allocation, unless otherwise provided for from time to time by resolution adopted by a majority of the directors then in office, although less than a quorum. In the event of a vacancy in the Board, the remaining directors, except as otherwise provided by law or this certificate of incorporation, may exercise the powers of the full Board until the vacancy is filled. No decrease in the number of directors constituting the Board shall shorten the term of any incumbent director.
3. No election of directors need be by written ballot unless the Bylaws of the corporation so provide.
4. No stockholder will be permitted to cumulate votes at any election of directors.
5. Advance notice of stockholder nominations for the election of directors and of business to be brought by stockholders before any meeting of the stockholders of the corporation shall be given in accordance with the Bylaws of the corporation.

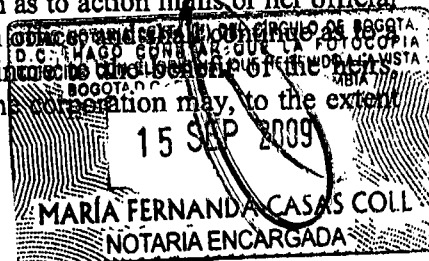


6. Subject to the rights of the holders of any series of Preferred Stock then outstanding and except as otherwise provided in this certificate of incorporation or required by law, any director, or all of the directors, may be removed from the Board with or without cause, but only by the affirmative vote of the holders of at least 66 2/3% of the aggregate voting power of the then-outstanding shares of capital stock of the corporation entitled to vote in the election of directors, voting together as a single class.

EIGHTH: The power to adopt, amend or repeal the Bylaws of the corporation may be exercised by the Board. The stockholders shall also have the power to adopt, amend or repeal the Bylaws; provided, however, that, in addition to any vote of the holders of any class or series of stock of the corporation required by law or this certificate of incorporation, the affirmative vote of the holders of at least 66 2/3% of the aggregate voting power of the then-outstanding voting shares of voting stock entitled to vote generally in the election of directors, voting together as a single class, shall be required to adopt, amend or repeal all or any portion of Sections 13 or 14 of Article II, Section 2 of Article III, Article VIII and Section 6 of Article IX of the Bylaws.

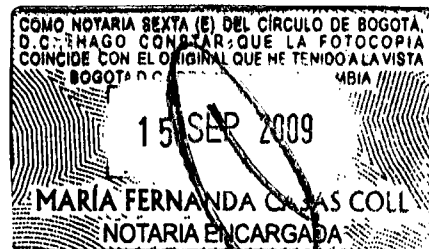
NINTH: A director of the corporation shall not be personally liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, except for liability (a) for any breach of the director's duty of loyalty to the corporation or its stockholders, (b) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (c) under Section 174 of the General Corporation Law of Delaware, or (d) for any transaction from which the director derived an improper personal benefit. If the General Corporation Law of Delaware is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the corporation shall be eliminated or limited to the fullest extent permitted by the General Corporation Law of Delaware as so amended. Neither any amendment, repeal or modification of this article nor the adoption of any provision of this certificate of incorporation or the Bylaws of the corporation inconsistent with this article shall adversely affect any right or protection of a director of the corporation existing at the time of such amendment, repeal, modification or adoption.

TENTH: The corporation shall, to the fullest extent permitted by the provisions of Section 145 of the General Corporation Law of the State of Delaware, as the same may be amended and supplemented, indemnify any person who is or was a director or officer of the corporation, or is or was serving at the request of the corporation as a director, officer or trustee of another corporation, partnership, joint venture, trust, employee benefit plan or other enterprise, from and against any and all of the expenses, liabilities, or other matters referred to in or covered by said section, and the indemnification provided for herein shall not be deemed exclusive of any other rights to which such persons may be entitled under any Bylaw, agreement, vote of stockholders or disinterested directors or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office or position, or the heirs, executors, and administrators of such a person. In addition, the corporation may, to the extent



authorized from time to time by the Board, grant indemnification rights to other employees or agents of the corporation or other persons serving the corporation and such rights may be equivalent to, or greater or less than, those indemnification rights of directors and officers set forth in this article or the Bylaws. Neither any amendment, repeal or modification of this article nor the adoption of any provision of this certificate of incorporation or the Bylaws of the corporation inconsistent with this article shall adversely affect any right or protection of a director or officer of the corporation existing at the time of such amendment, repeal, modification or adoption.

ELEVENTH: From time to time any of the provisions of this certificate of incorporation may be amended, altered or repealed and other provisions authorized by the laws of the State of Delaware at the time in force may be added or inserted in the manner and at the time prescribed by said laws; provided, however, that, notwithstanding any other provision of this certificate of incorporation, or any provision of law that might otherwise permit a lesser vote or no vote, but in addition to any vote of the holders of any class or series of the stock of this corporation required by law or by this certificate of incorporation, the affirmative vote of the holders of at least 66 2/3% of the voting power of the then-outstanding shares of voting stock entitled to vote generally in the election of directors, voting together as a single class, shall be required to amend or repeal Article SIXTH, Article SEVENTH, Article EIGHTH, Article NINTH, Article TENTH or this Article ELEVENTH. All rights conferred upon stockholders of the corporation by this certificate of incorporation are granted subject to the provisions of this Article ELEVENTH.



Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America

This public document:

2. has been signed by Jeffrey W. Bullock

3. acting in the capacity of Secretary of State of Delaware

4. bears the seal/stamp of Office of Secretary of State

Certified

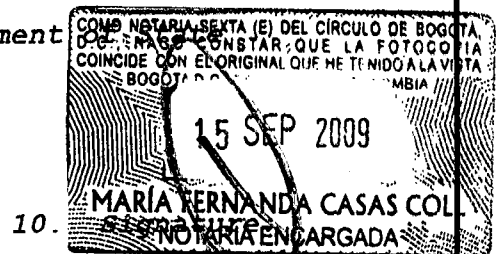
5. at Dover, Delaware

6. the twenty-eighth day of July, A.D. 2009

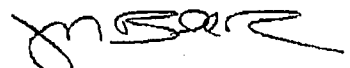
7. by Secretary of State, Delaware Department

8. No. 0391739

9. Seal/Stamp:



10.


Secretary of State

TRADUCCION OFICIAL NO.782/2009.-

EL TEXTO QUE SIGUE ES TRADUCCIÓN FIEL Y COMPLETA DE UN DOCUMENTO ESCRITO EN INGLES Y LLEVA SELLO Y FIRMA DE HELENA URIBE DE LEMOINE, TRADUCTORA E INTERPRETE OFICIAL, SEGÚN RESOLUCION No. 3618 EXPEDIDA POR EL MINISTERIO DE JUSTICIA EL 6 DE SEPT. DE 1972.

TRADUCCION DE LOS SELLOS QUE SE ENCUENTRAN EN EL DOCUMENTO DE REPRESENTACION Y PODER OTORGADO POR **TARGACEPT, INC.**, DOMICILIADA EN 200 EAST FIRST STREET, SUITE 300 WNSTON-SALEM, NORTH CAROLINA 27101-4165, ESTADOS UNIDOS DE AMERICA, PARA LA RATIFICACION DE LA SOLICITUD DE PATENTE NO. 09.056.352 RADICADA POR EMILIO FERRERO EL 1° DE JUNIO DE 2009, A LOS DOCTORES LUZ CLEMENCIA DE PAEZ, DANIEL PEÑA Y GERMAN MARIN

DADO Y FIRMADO EL 3 DE AGOSTO DE 2009

FIRMADO: WILLIAM S. CALDWELL, PH.D.

VICEPRESIDENTE, DESARROLLO Y DESCUBRIMIENTO DE MEDICAMENTOS

ESTADO DE CAROLINA DEL NORTE

CONDADO DE FORSYTH

YO, EL SUSCRITO, NOTARIO PÚBLICO PARA LA MENCIONADA JURISDICCION, POR MEDIO DEL PRESENTE CERTIFICO QUE **WILLIAM S. DALDWELL**, QUIEN PERSONALMENTE COMPARECIÓ ANTE MÍ ESTE DIA EN SU CALIDAD DE VICEPRESIDENTE, DESARROLLO Y DESCUBRIMIENTO DE MEDICAMENTOS, DE **TARGACEPT INC.**, DEBIDAMENTE AUTORIZADO Y RECONOCIO LA DEBIDA EJECUCION DEL ANTERIOR DOCUMENTO.

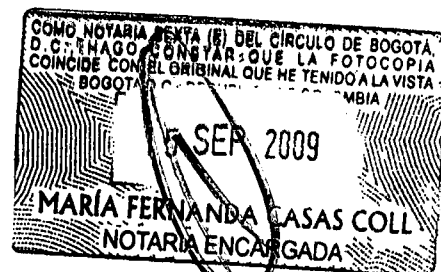
FECHA: 3 DE AGOSTO DE 2009

FIRMADO: JULIE P. CRAYNE, NOTARIO

NOTARIO PUBLICO

CON COMISIÓN HASTA EL 21 DE JUNIO DE 2012.

HAY SELLO DE NOTARIO



Handwritten signature

ESTADO DE CAROLINA DEL NORTE
DEPARTAMENTO DEL SECRETARIO DE ESTADO

APOSTILLA

CONVENIO DE LA HAYA DEL 5 DE OCTUBRE DE 1961

1. PAIS: ESTADOS UNIDOS DE AMERICA

EL PRESENTE DOCUMENTO PUBLICO

2. HA SIDO FIRMADO POR: JULIE P. CRAYNE
3. ACTUANDO EN SU CAPACIDAD DE: NOTARIO PUBLICO CON
COMISION HSTA EL 6/21/2012
4. LLEVA EL SELLO DE: CONDADO DE FORSYTH, CAROLINA DEL
NORTE.

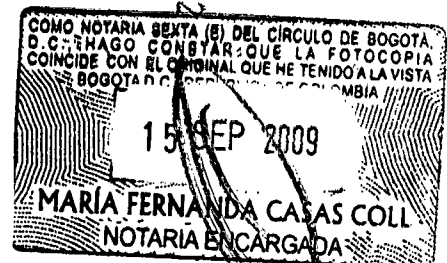
CERTIFICADO

5. EN: RALEIGH, CAROLINA DEL NORTE
6. EL: 5 DE AGOSTO DE 2009
7. POR: EL SECRETARIO DE ESTADO O EL SECRETARIO DE ESTADO
DELEGADO, DEL ESTADO DE CAROLINA DEL NORTE
8. BAJO EL NO.: **19632**
9. SELLO: SECRETARIO DE ESTADO, ESTADO DE CAROLINA DEL
NORTE
10. FIRMADO: ELAINE Z. MARSHALL, SECRETARIO DE ESTADO

LA TRADUCTORA OFICIAL

Helena Uribe de Lemoine

HELENA URIBE DE LEMOINE



TRADUCCION OFICIAL NO.782/2009.-

DELAWARE
EL PRIMER ESTADO

YO, JEFFREY W. BULLOCK, SECRETARIO DE ESTADO DEL ESTADO DE DELAWARE, POR MEDIO DEL PRESENTE CERTIFICO QUE LAS COPIAS DE LOS DOCUMENTOS ADJUNTOS SON COPIAS VERDADERAS Y CORRECTAS DE TODOS LOS DOCUMENTOS RADICADOS, INCLUYENDO **CERTIFICADO DE CONSTITUCION RECONFIRMADO O UNA CESIÓN CON EL CERTIFICADO RECONFIRMADO ADJUNTO DE TARGACEPT, INC.,** TAL COMO FUE RECIBIDO Y RADICADO EN ESTE DESPACHO.

LOS SIGUIENTES DOCUMENTOS HAN SIDO CERTIFICADOS:

CERTIFICADO RECONFIRMADO, RADICADO EL 18 DE ABRIL DE 2006 A LAS 11:43 A.M.

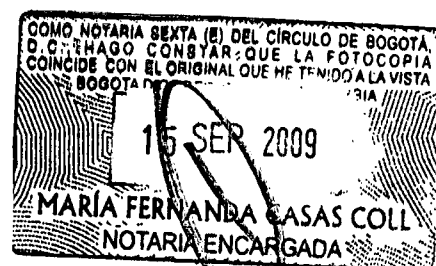
FIRMADO: JEFFREY W. BULLOCK, SECRETARIO DE ESTADO

AUTENTICACION NUMERO: 7443551

FECHA: 07/28/09

HAY SELLO EN RELIEVE DEL SECRETARIO DE ESTADO -

2725940 8100X 090733780



APOSTILLA

CONVENIO DE LA HAYA DEL 5 DE OCTUBRE DE 1961

1. PAIS: ESTADOS UNIDOS DE AMÉRICA

EL PRESENTE DOCUMENTO PUBLICO

2. HA SIDO FIRMADO POR: JEFFREY W. BULLOCK
3. ACTUANDO EN CAPACIDAD DE: NOTARIO PUBLICO, ESTADO DE DELAWARE
4. LLEVA EL SELLO DE: SECRETARIO DE ESTADO

COPIA FIRMADA POR EL
NOTARIO PUBLICO DEL ESTADO DE
DELAWARE
LAS FIRMAS DE LOS PARTICIPANTES
HELENA URIBE DE LEMOINE
28 03 09

MINISTERIO DE
RELACIONES
EXTERIORES

CERTIFICADO

5. EN: DOVER, DELAWARE
6. EL: 28 DE JULIO DE 2009
7. POR: SECRETARIO DE ESTADO, ESTADO DE DELAWARE
8. BAJO EL NO.: 0391739
9. SELLO: ESTADO DE DELAWARE
10. FIRMADO: ILEGIBLE.

2009 SEP 24 A 10:32
JEFFREY W. BULLOCK
SECRETARIO DE ESTADO
DELAWARE D.C.

NO ASUME
RESPONSABILIDAD
EL TEXTO

LA TRADUCTORA OFICIAL

Helena Uribe de Lemoine

HELENA URIBE DE LEMOINE



ESTADO DE DELAWARE
SECRETARIO DE ESTADO
DIVISION DE SOCIEDADES
ENTREGADO A LAS 11:47 AM 04/18/2006
RADICADO 11:43 AM 04/18/2006
SRV 060358269 -ARCHIVO 2725940

**CUARTO CERTIFICADO DE CONSTITUCION MODIFICADO Y
RECONFIRMADO DE TARGACEPT, INC.**

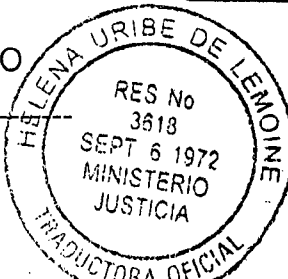
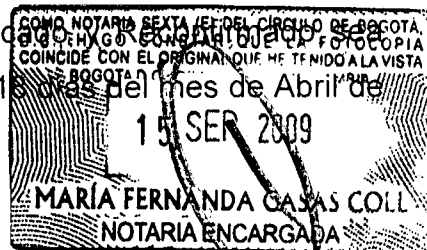
De conformidad con la Sección 242 y la Sección 245 de la Ley General de Sociedades del Estado de Delaware ("DGCL") la sociedad suscrita se permite someter el siguiente texto con el fin de modificar y confirmar su Certificado de Constitución, tal como el mismo ha sido enmendado y por medio del presente certifica lo siguiente.

1. El nombre de la sociedad es **Targacept, Inc.** El Certificado de Constitución Original de la Sociedad fue radicado el 7 de Marzo de 1997.
2. El Certificado de Constitución de la Sociedad se modifica y confirma en su totalidad tal como se estipula en el texto del Cuarto Certificado de Constitución Modificado y Reconfirmado adjunto al presente como Anexo A.
3. Este Cuarto Certificado de Constitución Modificado y Reconfirmado adjunto fue debidamente adoptado de conformidad con las Secciones 245(c), 242 y 228 de la DGCL y será efectivo desde el momento de su radicación.

En testimonio de lo anterior la sociedad **Targacept, Inc.**, ordena que el presente Cuarto Certificado de Constitución Modificado y Reconfirmado sea firmado por su Presidente y Director Ejecutivo a los 15 días del mes de Abril de 2006.

TARGACEPT, INC.

FIRMADO: J. DONALD DE BETHIZY
PRESIDENTE Y DIRECTOR EJECUTIVO



Handwritten signature

ANEXO A
CUARTO CERTIFICADO DE CONSTITUCIÓN MODIFICADO Y
RECONFIRMADO
DE TARGACEPT, INC.

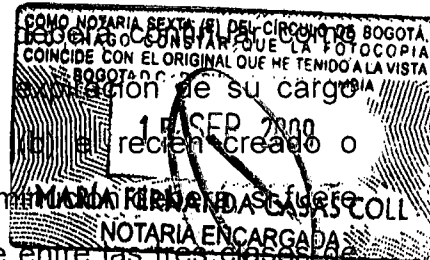
PRIMERO: El nombre de sociedad (de aquí en adelante llamada la "Sociedad") es Targacept, Inc.

SEGUNDO: la dirección, incluyendo la calle, el número, la ciudad y el Condado de la oficina registrada de la sociedad en el Estado de Delaware, es 2711 Centerville Road, Suite 400, Ciudad de Wilmington 19808, Condado de New Castle, y el nombre del Agente registrado de la Sociedad en el Estado de Delaware en dicha dirección es Corporation Service Company.

TERCERO: El objeto de la sociedad es comprometerse en cualquier actividad legal para la cual puedan constituirse las sociedades bajo la Ley General de Sociedades del Estado de Delaware, tal como las mismas existen en la actualidad o puedan ser modificadas en el futuro.

Los cargos directivos recién creados resultantes de cualquier aumento en el número de directores autorizados o de una vacante en la Junta que resulte por concepto de muerte, retiro, renuncia, remoción de un funcionario o por cualquier otra causa, puede llenarse únicamente mediante el voto mayoritario de los directores que se encuentren en ejercicio del cargo, aun si son menos de un quórum, o por el único director restante pero no por los accionistas. En caso de cualquier aumento o disminución en el número de directores autorizados:

(a) cada director que preste sus servicios como tal director de la clase de la cual es miembro hasta la expiración de su cargo actual, o su muerte, retiro, renuncia o remoción; y el recién creado o eliminado director que resulte de dicho aumento o disminución, razonablemente posible, ser nombrado por la junta de entre las tres clases de directores de tal manera que se garantice que ninguna de las clases tendrá un director más que cualquier otra clase. En la medida razonablemente posible,



TRADUCCION OFICIAL NO.782/2009.-

consistente con la norma anterior, cualquier cargo directivo recién creado será agregado a aquellas clases cuyos términos del cargo expirarán en las últimas fechas siguientes a dicha asignación, y los cargos directivos recién eliminados se restarán de aquellas clases cuyos términos del cargo expirarán en las fechas más tempranas después de dicha asignación, a menos que se disponga en forma distinta periódicamente mediante resolución debidamente aprobada por una mayoría de los directores que se encuentren en ejercicio del cargo, aunque haya menos del quórum. En caso de una vacante en la junta, los directores restantes, salvo que se dispone en forma distinta por ley o en el certificado de constitución, podrán ejercer los poderes de la junta en pleno, hasta que la vacante sea llenada. La disminución del número de directores que constituyen la Junta, no disminuye la vigencia de un director titular.



STATE OF NORTH CAROLINA



Department of The
Secretary of State

APOSTILLE

(Convention de La Haye 5 octobre 1961)

1. COUNTRY: **UNITED STATES OF AMERICA**
2. This Public Document
has been signed by JULIE P. CRAYNE
3. acting in the capacity of NOTARY PUBLIC
COMMISSION EXPIRES 6/21/2012
4. bears the seal/stamp of COUNTY OF FORSYTH, NORTH CAROLINA

CERTIFIED

5. at Raleigh, North Carolina
6. the 5TH DAY OF AUGUST, 2009
7. by Secretary of State or Deputy Secretary of State, State of North Carolina
8. No. 19633
9. Seal/Stamp
10. Signature



By:

Haley Haynes
Haley Haynes
Deputy Secretary of State

Elaine J. Marshall

Secretary of State

CESION

Yo, (nosotros) abajo firmado (s)

(1) **Anatoly MAZUROV**(2) **Lan MIAO**(3) **Yun-De XIAO**(4) **Philip S. HAMMOND**(5) **Craig H. MILLER**(6) **Srinivisa Rao AKIREDDY**(7) **V. Srinivisa MURTHY**(8) **Regina C. WHITAKER**(9) **Scott R. BREINING**(10) **Matt S. MELVIN**domiciliado(s) (1) 3704 Timberoak Drive,
en Greensboro, NC27410, E.U.A.; (2) 226 March Ferry Road,
Advance, NC

27006, E.U.A.; (3) 2079 Waterford Village Drive

Clemmons, NC 27012, E.U.A.; (4) 1162
Bradley Road,Pinnacle, NC 27043, E.U.A.; (5) 1564
Sharon Road,Winston-Salem, NC 27103, E.U.A.; (6) 5829
Fox PointCircle, Winston-Salem, NC 27104, E.U.A.; (7)
595 Stone-bridge Drive, Winston-Salem, NC 27104, E.U.A.;
(8) 3257U.S. Hwy. 158, Mocksville, NC 2708, E.U.A.;
(9) 2363Rosewood Avenue, Winston-Salem, NC
27103, E.U.A.;(10) 2074 Craig Street, Winston-Salem, NC
27103, E.U.A.**ASSIGNMENT**

I (we), the undersigned

(1) **Anatoly MAZUROV**(2) **Lan MIAO**(3) **Yun-De XIAO**(4) **Philip S. HAMMOND**(5) **Craig H. MILLER**(6) **Srinivisa Rao AKIREDDY**(7) **V. Srinivisa MURTHY**(8) **Regina C. WHITAKER**(9) **Scott R. BREINING**(10) **Matt S. MELVIN**(1) 3704 Timberoak Drive, Greensboro, NC
of 27410,U.S.A.; (2) 226 March Ferry Road, Advance, NC
27006,U.S.A.; (3) 2079 Waterford Village Drive,
Clemmons, NC27012, U.S.A.; (4) 1162 Bradley Road, Pinnacle,
NC27043, U.S.A.; (5) 1564 Sharon Road, Winston-
Salem,NC 27103, U.S.A.; (6) 5829 Fox Point Circle,
Winston-Salem, NC 27104, U.S.A.; (7) 595 Stonebridge
Drive,Winston-Salem, NC 27104, U.S.A.; (8) 3257
U.S. Hwy.158, Mocksville, NC 2708, U.S.A.; (9) 2363
RosewoodAvenue, Winston-Salem, NC 27103, U.S.A.;
(10) 2074

Craig Street, Winston-Salem, NC 27103, U.S.A.

120

declaro(amos) bajo juramento ser único(s) y verdadero(s)
inventor(es)

de la
invención:

**AMIDAS DE DIAZABICICLOALCANOS
SELECTIVAS**

**DEL SUBTIPO DEL RECEPTOR
NICOTÍNICO DE
ACETILCOLINA**

declaro(amos) así mismo que cedo(emos) y
transfiero(erimos), sin
limitación, a favor de la
sociedad

TARGACEPT, INC.

constituida y existente de conformidad con las leyes de

**Estado de Delaware, Estados Unidos de
América**

domiciliada en 200 East First Street, Suite
300,

**Winston-Salem, NC 27101-
4165,**

Estados Unidos de América

todos los derechos inherentes a dicha invención y que la
citada Compañía queda facultada para solicitar en su
nombre la patente de invención correspondiente en la
República de Colombia.

state(s) under oath to be sole and true inventor(s) of the
invention:

NICOTINIC ACETYLCHOLINE RECEPTOR

SUB-TYPE SELECTIVE AMIDES OF

DIAZABICYCLOALKANES

state as well, that assign, without reservations or limitations
in favour
of

TARGACEPT, INC.

a corporation constituted and existing in conformity with the
laws of

**State of Delaware, United States of
America**

domiciled in 200 East First Street, Suite 300,

**Winston-Salem, NC 27101-
4165,**

United States of America

all rights inherent to said invention and that the above
mentioned company hereby is enabled to apply, in its name,
for the corresponding patent invention, in the Republic of
Colombia

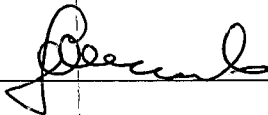
Dado y firmado /Given and signed
[ENTER DATE:]

07.30.2009

en/in Winston-Salem, North Carolina, U.S.A

por/by **Anatoly MAZUROV**

Firma/Signature



Dado y firmado /Given and signed
[ENTER DATE:]

7/30/09

en/in Winston-Salem, North Carolina, U.S.A

por/by Lan MIAO

Firma/Signature

Lan Miao

Dado y firmado /Given and signed
[ENTER DATE:]

7/30/09

en/in Winston-Salem, North Carolina, U.S.A

por/by Yun-De XIAO

Firma/Signature

Yun-De Xiao

Dado y firmado /Given and signed
[ENTER DATE:]

7/30/09

en/in Winston-Salem, North Carolina, U.S.A

por/by Philip S. HAMMOND

Firma/Signature

Philip S. Hammond

Dado y firmado /Given and signed
[ENTER DATE:]

7/30/09

en/in Winston-Salem, North Carolina, U.S.A

por/by Craig H. MILLER

Firma/Signature

Craig H. Miller

Dado y firmado /Given and signed
[ENTER DATE:]

30 July 09

en/in Winston-Salem, North Carolina, U.S.A

por/by **Srinivisa Rao AKIREDDY**

Firma/Signature

SR Rao

Dado y firmado /Given and signed
[ENTER DATE:]

30 July 2009

en/in Winston-Salem, North Carolina, U.S.A

por/by **V. Srinivisa MURTHY**

Firma/Signature

V. Srinivasa Murthy

Dado y firmado /Given and signed
[ENTER DATE:]

07/30/2009

en/in Winston-Salem, North Carolina, U.S.A

por/by **Regina C. WHITAKER**

Firma/Signature

Regina C. Whitaker

Dado y firmado /Given and signed
[ENTER DATE:]

30 July 2009

en/in Winston-Salem, North Carolina, U.S.A

por/by **Scott R. BREINING**

Firma/Signature

Scott Breining

Dado y firmado /Given and signed
[ENTER DATE:]

30 July 09

en/in Winston-Salem, North Carolina, U.S.A

por/by **Matt S. MELVIN**

Firma/Signature

Matt S. Melvin

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

I, the undersigned Notary Public for the aforesaid jurisdiction, do hereby certify that the following persons personally appeared before me this day and acknowledged the due execution of the foregoing instrument:

Anatoly Mazurov
Lan Miao
Yun-De Xiao
Srinivisa Rao Akireddy
Scott R. Breining
V. Srinivisa Murthy
Philip S. Hammond
Craig H. Miller
Regina C. Whitaker
Matt S. Melvin

Date: 30th day of July, 2009

(Official Seal)



Julie P. Crayne
Official Signature of Notary

JULIE P. CRAYNE, Notary Public
Notary's printed name

My commission expires: JUNE 21, 2012

TRADUCCIÓN OFICIAL 250/2009 DE UN DOCUMENTO EN INGLÉS Y ESPAÑOL POR EL CUAL LOS ABAJO FIRMANTES, 1) ANATOLY MAZUROV, RESIDENTE EN 3704 TIMBEROAK DRIVE, GREENSBORO, NC, 27410, ESTADOS UNIDOS DE AMÉRICA; 2) LAN MIAO, RESIDENTE EN 226 MARCH FERRY ROAD, ADVANCE, NC 27006, ESTADOS UNIDOS DE AMERICA; 3) YUN-DE XIAO RESIDENTE EN 2079 WATERFORD VILLAGE DRIVE, CLEMMONS, NC 27012, ESTADOS UNIDOS DE AMERICA, 4) PHILIP S. HAMMOND, RESIDENTE EN 1162 BRADLEY ROAD, PINNACLE, NC 27043, ESTADOS UNIDOS DE AMÉRICA; 5) CRAIG H. MILLER RESIDENTE EN 1564 SHARON ROAD, WINSTON-SALEM, 27103, ESTADOS UNIDOS DE AMÉRICA; 6) SRINIVISA RAO AKIREDDY RESIDENTE EN 5829 FOX POINT CIRCLE, WINSTON-SALEM, NC 27104, ESTADOS UNIDOS DE AMÉRICA; 7) V. SRINIVISA MURTHY RESIDENTE EN 595 STONEBRIDGE DRIVE, WINSTON-SALEM, NC 27104, ESTADOS UNIDOS DE AMÉRICA; 8) REGINA C. WHITAKER, RESIDENTE EN 3257 U.S. HWY. 158, MOCKSVILLE, NC 2708, ESTADOS UNIDOS DE AMÉRICA; 9) SCOTT R. BREINING, RESIDENTE EN 2363 ROSEWOOD AVENUE, WINSTON-SALEM, NC 27103, ESTADOS UNIDOS DE AMERICA; y 10) MATT S. MELVIN, 2074 CRAIG STREET, WINSTON-SALEM, WINSTON-SALEM, NC 27103, ESTADOS UNIDOS DE AMÉRICA DECLARAN BAJO JURAMENTO SER LOS INVENTORES ÚNICOS Y VERDADEROS DEL INVENTO AMIDAS DE DIAZABICICLOALCANOS SELECTIVAS DEL SUBTIPO DEL RECEPTOR NICOTÍNICO DE ACETILCOLINA Y QUE CEDEN Y TRANSFIEREN SIN LIMITACIÓN A FAVOR DE LA SOCIEDAD TARGACEPT, INC., UNA SOCIEDAD CONSTITUIDA Y EXISTENTE DE CONFORMIDAD CON LAS LEYES DEL ESTADO DE DELAWARE, ESTADOS UNIDOS DE AMÉRICA, DOMICILIADA EN 200 EAST FIRST STREET, SUITE 300, WINSTON-

Eduardo Calade
Eduardo Calade Noguera
TRADUCTOR OFICIAL
Inglés - Español - Inglés
Res. 541 Febrero de 1976

175

SALEM, NC 27101-4165, ESTADOS UNIDOS DE AMÉRICA, TODOS LOS DERECHOS INHERENTES A DICHA INVENCION Y QUE LA CITADA COMPAÑIA QUEDA FACULTADA PARA SOLICITAR EN SU NOMBRE LA PATENTE DE INVENCION CORRESPONDIENTE EN LA REPUBLICA DE COLOMBIA.

DADO Y FIRMADO EL 30 DE JULIO DE 2009 EN WINSTON-SALEM, CAROLINA DEL NORTE, ESTADOS UNIDOS DE AMERICA POR ANATOLY MAZUROV. FIRMA ILEGIBLE.

A CONTINUACIÓN APARECEN LAS AUTENTICACIONES DEL MISMO TENOR DE LA ANTERIOR REFERENTES A LOS NUEVE INVENTORES RESTANTES, QUE FUERON EXPEDIDAS EN LA MISMA FECHA Y LUGAR DE LA ANTERIOR.

ESTADO DE CAROLINA DEL NORTE. CONDADO DE FORSYTH.

Yo, el abajo firmante notario público de la jurisdicción arriba mencionada, certifico que las siguientes personas comparecieron ante mí hoy y reconocieron haber firmado debidamente el instrumento precedente: (A continuación aparecen los nombres de todos los diez inventores firmantes)
Fecha: 30 de julio de 2009.

Firma oficial del notario: JULIE P. CRAYNE

JULIE P. CRAYNE, notario público, nombre impreso.

Mi cargo dura hasta el 21 de junio de 2012.

ESTADO DE CAROLINA DEL NORTE, DEPARTAMENTO DE SECRETARIA DE ESTADO

APOSTILLA

(CONVENCION DE LA HAYA DEL 5 DE OCTUBRE DE 1961)

1. PAIS: ESTADOS UNIDOS DE AMERICA


Eduardo Calado Noguera
TRADUCTOR OFICIAL
Inglés - Español - Inglés
Res. 541 Febrero de 1976

197

2. Este documento público ha sido firmado por JULIE P. CRAYNE
 3. quien actúa en su calidad de NOTARIO PÚBLICO. MI CARGO
 VENCE EL 21 DE JUNIO DE 2012
 4. lleva el sello/estampilla del CONDADO DE FORSYTH, CAROLINA
 DEL NORTE

CERTIFICADO

5. En RALEIGH, CAROLINA DEL NORTE 6. EL 5 DE AGOSTO DE 2009
 7. Por el secretario de estado o secretario de estado
 suplente, estado de Carolina del Norte.
 8. No. 19633
 9. Sello/estampilla: ESTADO DE CAROLINA DEL NORTE,
 DEPARTAMENTO DE ESTADO
 10. Firma: HALEY HAYNES, secretario de estado suplente
 FIRMA FASCIMILAR: ELAINE F MARSHALL, secretaria de estado
 ECN\ECN\ID-158255\WPCL002G
 COLO-15769-841-002-2
 Bogotá, 16 de septiembre de 2009.

Eduardo Calado N.
Eduardo Calado Noguera
TRADUCTOR OFICIAL
 Inglés - Español - Inglés
 Res. 541 Febrero de 1976

2009 SET 18 A 9:17
 JEFE DE LEGALIZACIONES
 BOGOTÁ D.C.

MINISTERIO DE
 RELACIONES EXTERIORES

955742
Eduardo Calado N.
 COLOMBIA
 AS FUNDACIONES INDICADAS

NO SE ASUME
 RESPONSABILIDAD
 DEL TEXTO



2020
Bogotá D.C.,

Folio 179

Doctor(a)
DE PAEZ LUZ CLEMENCIA
Apoderado(a) y/o Representante de
TARGACEPT INC

REFERENCIA	Radicación No.	9 56352
	Solicitud internacional	pct/us2007/083330
	Fecha inicio fase nacional	02/06/2009
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	10335
	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,

26 ABR. 2010

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

jfernand