

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Asset Purchase Agreement

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
PanVera LLC		02/04/2003	CORPORATION: DELAWARE

**RECEIVING PARTY DATA**

Name:	Invitrogen Corporation
Street Address:	1600 Faraday Avenue
City:	Carlsbad
State/Country:	CALIFORNIA
Postal Code:	92008
Entity Type:	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 10**

Property Type	Number	Word Mark
Serial Number:	78162870	BEACON
Registration Number:	2203572	BACULOSOMES
Registration Number:	2197222	RECO
Registration Number:	2545174	WETWARE
Registration Number:	1989610	PANVERA
Registration Number:	2761850	PANVERA
Registration Number:	2381609	CORE HTS
Registration Number:	1998548	BEACON FLUORESCENCE POLARIZATION SYSTEM
Registration Number:	2579833	GENEBLAZER
Registration Number:	2652836	THE PROTEIN COMPANY

**CORRESPONDENCE DATA**

Fax Number: (858)677-1401  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 858-638-6921  
 Email: sdtrademark@graycary.com

OP \$265.00 78162870

Correspondent Name: Nancy O. Dix  
Address Line 1: 4365 Executive Drive, Suite 1100  
Address Line 2: Gray Cary Ware & Freidenrich  
Address Line 4: San Diego, CALIFORNIA 92121

ATTORNEY DOCKET NUMBER:

T05679US0

NAME OF SUBMITTER:

Nancy O. Dix

**Total Attachments: 14**

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ASSET PURCHASE AGREEMENT

BY AND AMONG

VERTEX PHARMACEUTICALS INCORPORATED,

PANVERA LLC,

AND

INVITROGEN CORPORATION

FEBRUARY 4, 2003

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Gray Cary\GT\6325151.12  
102894-53

(h) any sale, transfer or other disposition of any assets, properties or rights of the Business, except in the ordinary course of business consistent with past practice which are not material in the aggregate, except with respect to any cash or short-term marketable securities (other than the Investments) set forth or reflected on the November 30 Balance Sheet, and except for the conveyance by Seller of the Instrumentation Assets;

(i) any commitments or agreements for capital expenditures or capital additions or betterments relating to the Business exceeding \$50,000 in the aggregate, except such as may be involved in the ordinary repair, maintenance or replacement of assets not exceeding an additional \$50,000 in the aggregate;

(j) other than with respect to travel expense reimbursement and employee compensation and benefits in the ordinary course of business consistent with past practice, any payment, distribution, loan or advance of any amount to, or sale, transfer or lease of properties or assets (real, personal, or mixed, tangible or intangible) to, or the entering into of any agreement or arrangement to do so with, any officers or managers of the Seller (or any of its officers, managers or directors), or any "associate" (as such term is defined in Rule 405 under the Securities Act of 1933, as amended) thereof;

(k) any mortgage, pledge or subjection to Lien of any kind on any assets, tangible or intangible, of the Business except for Permitted Encumbrances;

(l) the granting of any material increase in the compensation payable or to become payable by the Seller to its managers, officers or employees other than increases in the ordinary course of business to employees who are not managers or officers;

(m) any material transaction, agreement or event outside the ordinary course of the conduct of the Business;

(n) the agreement, whether in writing or otherwise, to take any action described in this Section 3.7, or which would constitute a breach of any of the representations and warranties of the Owner and the Seller contained in this Agreement;

(o) any other changes in the financial condition of the Business, except for any changes that would not reasonably be expected to result in a Business Material Adverse Effect and except for any changes that involve or affect only Excluded Assets or Excluded Liabilities (including, without limitation, the conveyance by Seller of the Instrumentation Assets subsequent to such date); or

(p) any Business Material Adverse Effect.

### 3.8 Intellectual Property.

(a) Part 1 of Section 3.8(a) of the Seller Disclosure Schedule lists all of the Proprietary Assets included in the Business Assets which are patents, patent applications, trademarks or trademark applications wholly owned by Seller, setting forth in each case the jurisdictions in which patents have been issued, patent applications have been filed, trademarks have been registered and trademark applications have been filed. Part 2 of Section 3.8(a) of the

Seller Disclosure Schedule lists all of the Proprietary Assets included in the Business Assets which are patents, patent applications, trademarks and trademark applications, other than those wholly or co-owned by Seller, setting forth in each case the jurisdictions in which patents have been issued, patent applications have been filed, trademarks have been registered and trademark applications have been filed. Part 3 of Section 3.8(a) of the Seller Disclosure Schedule lists all oral and written contracts, agreements, licenses and other arrangements under which any Vertex Party is licensed or otherwise permitted to use any Proprietary Assets included in the Business Assets, other than standardized nonexclusive licenses that are available to the public generally and were obtained by Seller in the ordinary course of business.

(b) Except as set forth in Part 1 of Section 3.8(b) of the Seller Disclosure Schedule, no Third Party has asserted a claim, nor, to the knowledge of the Seller, are there any facts which could give rise to a claim, which would adversely affect the Seller's ownership rights to, or rights under, (i) any of the Proprietary Assets included in the Business Assets which are owned by Seller, or (ii) any contracts, agreements, licenses and other arrangements under which any Vertex Party is licensed or otherwise permitted to use any Proprietary Asset included in the Business Assets, other than those described in clause (i) above. Except as set forth in Part 2 of Section 3.8(b) of the Seller Disclosure Schedule, the Seller does not jointly own or license with any other Person any Proprietary Assets included in the Business Assets which are patents, patent applications, trademarks or trademark applications.

(c) No current, or (to the knowledge of Seller) former, officer, manager, director, stockholder, member, employee, consultant or independent contractor of the Vertex Parties has any right, title or interest in, to or under any Proprietary Asset included in the Business Assets.

(d) Except as set forth in Section 3.8(d) of the Seller Disclosure Schedule, all Proprietary Assets that (i) are filed or registered with any Governmental Authority, and (ii) either (A) are required to be listed in Part 1 of Section 3.8(a) of the Seller Disclosure Schedule or (B) a Vertex Party has the right to control the prosecution thereof and are required to be listed in Part 2 of Section 3.8(a) of the Seller Disclosure Schedule or Part 2 of Section 3.8(b) of the Seller Disclosure Schedule, have been duly filed or registered (as applicable), and maintained, including the submission of all necessary filings and fees in accordance with the legal and administrative requirements or the appropriate jurisdictions, and have not lapsed, expired or been abandoned. Except as set forth in Section 3.8(d) of the Seller Disclosure Schedule, with respect to all of the issued patents and pending patent applications that either are required to be listed in Part 1 of Section 3.8(a) of the Seller Disclosure Schedule, or a Vertex Party has the right to control the prosecution thereof and are required to be listed in Part 2 of Section 3.8(a) of the Seller Disclosure Schedule or Part 2 of Section 3.8(b) of the Seller Disclosure Schedule, (i) to the knowledge of the Seller, all of such patents and patent applications disclose patentable subject matter, and (ii) to the knowledge of the Seller with respect to events prior to July 18, 2001 regarding patents and patent applications included in the Business Assets to which rights were acquired by virtue of the Owner's acquisition of Aurora by merger effective on July 18, 2001, and without such qualification as to all other events, (A) there are no inventorship challenges, and (B) no interference been declared or provoked. Except as set forth in Section 3.8(d) of the Seller Disclosure Schedule, to the knowledge of the Seller, with respect to all of the issued patents and pending patent applications that a Vertex Party does not have the right to control the

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first above written.

VERTEX PHARMACEUTICALS  
INCORPORATED

By: [Signature]  
Name: Joshua Boger  
Title: Chairman & CEO

PANVERA LLC

By: [Signature]  
Name: Joshua Boger  
Title: President

INVITROGEN CORPORATION

By: [Signature]  
Name: John D. Thompson  
Title: Vice President

*[Signature page to Asset Purchase Agreement]*

PART I of Section 3.6(a)(continued)

TRADEMARK (Symbol, Phased, Country)	REFERENCED	APPL. NO.	REG. NO.	STATUS	CLASSES
UNITED STATES 01 - Fluorimetric and biological reagents for medical research use	3/4/1997	75251,421	11/17/1998	2,203,572 REGISTERED	1
UNITED STATES 02 - Laboratory and biological reagents for medical diagnostic use	3/4/1997	75251,424	11/17/1998	2,203,572 REGISTERED	6
UNITED STATES 01 - AS FILED: low fluorescence reagents for use in research laboratories AS FILED: fluorescence polarization detection	10/25/1993	747450,174	7/4/1995	1,903,200 ABANDONED Cancelled Section 6(1)	1
UNITED STATES 05 - AS FILED: low fluorescence reagents for clinical medical use AS FILED: low fluorescence reagents and closely related materials	10/25/1993	747450,174	7/4/1995	1,903,200 ABANDONED Cancelled Section 6	5
UNITED STATES 09 - AS FILED: fluorescence polarization detection and analysis system equipment, and computer software for use therewith, for laboratory use AS FILED: analysis system, analyzer, analysis software, apparatus	10/25/1993	747450,174	7/4/1995	1,903,200 ABANDONED Cancelled Section 6	9
UNITED STATES 01 - AS FILED: low fluorescence reagents for use in research laboratories	9/11/2002	78162,870	PE PENDING		1
UNITED STATES 05 - AS FILED: low fluorescence reagents for clinical medical use	9/11/2002	78162,870	PE PENDING		5
UNITED STATES 09 - AS FILED: fluorescence polarization detection and analysis system equipment, and computer software for use therewith, for laboratory use	9/11/2002	78162,870	PE PENDING		9

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PART 1 of Section 3.8(a)(continued)

Identification of chemicals for use in biological, chemical, pharmaceutical, agricultural testing and for the screening of compounds and cosmetics for clinical and in-vitro laboratory use

JAPAN  
Also CSEHS JPS  
31522001 2201 2208B PENDING 5  
US - AS ALLOWED. Reagents for testing and identifying elements for use in biological, chemical, pharmaceutical, agricultural testing and for the screening of compounds and cosmetics for clinical and in-vitro laboratory use  
Registration of chemicals for use in biological, chemical, pharmaceutical, agricultural testing and for the screening of compounds and cosmetics for clinical and in-vitro laboratory use

UNITED STATES  
Also CSEHS US1  
82292000 78137 804 ALLOWED 1  
US - AS ALLOWED. Reagents for identification of chemicals for use in biological, chemical, pharmaceutical, agricultural testing and for the screening of compounds and cosmetics for scientific and research use

UNITED STATES  
Also CSEHS US5  
80292000 782137 605 ALLOWED 5  
US - AS ALLOWED. Reagents for identification of chemicals for use in biological, chemical, pharmaceutical, agricultural testing and for the screening of compounds and cosmetics for clinical and in-vitro laboratory use

UNITED STATES  
PV CORE US 1  
11884999 750412 870 82292000 2,381,600 REGISTERED 1

US - AS ALLOWED. Diagnostic and biological reagents for medical use  
AS FICR. Diagnostic and biological reagents for medical use

UNITED STATES  
PV CORE US5  
11884999 750412 870 82292000 2,381,601 REGISTERED 5

US - AS ALLOWED. Diagnostic and biological reagents for medical use  
AS FICR. Diagnostic and biological reagents for medical use

PLASTI (Final Statement of Use September 2002 - Filed as a §1(a) use application)

UNITED STATES  
PV PLASTI US1  
81721002 78163 878 PENDING 1  
US - AS FICR. Reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds and cosmetics for use in the manufacture of pharmaceuticals, agricultural compounds and cosmetics

UNITED STATES  
PV PLASTI US5  
81721002 78163 878 PENDING 5  
US - AS FICR. Diagnostic reagents and assays for clinical medical laboratory use in biological and environmental testing and for the screening of compounds

GENERAL A-ZER (Assigned from Aurora Biosciences to PanVera)  
UNITED STATES  
81522002 885 838 REGISTERED 1

US - AS FICR. Reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds

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PART I of Section 3.0(a)(continued)

CANADA	Aino GBLAZ CAS	10/16/2000	1,078,633	04/15/2002	505,838	REGISTERED	5
US	diagnosis, reagents and assays for clinical medical laboratory use in biological and environmental testing and for the screening of compounds						
CANADA	Aino GBLAZ CAS	10/16/2000	1,078,633	04/15/2002	505,838	REGISTERED	42
US	pharmaceutical research and development services, namely, assay and screen development, compound screening, compound and chemical identification, and drug target identification and characterization						
EUROPEAN UNION	Aino GBLAZ EUI	02/02/2000	1,872,688	10/23/2001	1,872,688	REGISTERED	1
US	pharmaceutical research and development services, assay and screen development, compound and chemical identification, and drug target identification and characterization						
EUROPEAN UNION	Aino GBLAZ EUI	02/02/2000	1,872,688	10/23/2001	1,872,688	REGISTERED	3
US	diagnosis, reagents and assays for clinical laboratory use in biological, chemical and environmental testing and for the screening of compounds						
EUROPEAN UNION	Aino GBLAZ EUI	02/02/2000	1,872,688	10/23/2001	1,872,688	REGISTERED	42
US	pharmaceutical research and development services, assay and screen development, compound and chemical identification, and drug target identification and characterization						
JAPAN	Aino GBLAZ JPI	10/17/2000	2000 111358	08/17/2001	4,398,943	REGISTERED	1
US	REGISTERED & REGISTERED, studies, analysis, testing, experimental, research and development testing in pharmaceutical preparations						
AS PATENT	reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
JAPAN	Aino GBLAZ JPI	10/17/2000	2000 111358	08/17/2001	4,398,943	REGISTERED	3
US	REGISTERED & REGISTERED, studies, analysis, testing, experimental, research and development testing in pharmaceutical preparations						
AS PATENT	reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
JAPAN	Aino GBLAZ JPI	10/17/2000	2000 111358	08/17/2001	4,398,943	REGISTERED	42
US	REGISTERED & REGISTERED, studies, analysis, testing, experimental, research and development testing in pharmaceutical preparations						
AS PATENT	reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
UNITED STATES	Aino GBLAZ US1	04/17/2000	780928,479	04/17/2002	2,518,633	REGISTERED	1
US	reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
UNITED STATES	Aino GBLAZ US1	04/17/2000	780928,479	04/17/2002	2,518,633	REGISTERED	3
US	reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds						

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PART 1 of Section 3.8(a)(continued)

05 - diagnostic reagents and assays for clinical medical laboratory use in biological and environmental testing and for the screening of compounds

UNITED STATES  
42 - pharmaceutical research and development activities, namely, assay and screen development, compound screening, compound and chemical identification and using target identification and characterization  
4171201Z 257833 REGISTERED

PANAMA (Filed as Statement of Use, September 2002 - Filed as ISIN use application)

UNITED STATES  
01 - research and diagnostic biochemical and biological reagents for eg. bacterial, serological, DNA typing, food processing and research laboratories  
CANCELLED UNDER SECTION 8(2)  
91V1097 74012701 72571905 1,607,775 ABANDONED  
PV-PVRA US1

UNITED STATES  
05 - research and diagnostic biochemical and biological reagents for use in detection or treatment of bacterial, viral, and fungal infections  
CANCELLED UNDER SECTION 8(2)  
91V1095 74012701 72571905 1,607,775 ABANDONED  
PV-PVRA US1

UNITED STATES  
01 - AS FILED, research and diagnostic biochemical and biological reagents for use in detection or treatment of bacterial, viral, and fungal infections  
CANCELLED UNDER SECTION 8(2)  
91V1202 78102873 PENDING 1

UNITED STATES  
05 - AS FILED, research and diagnostic biochemical and biological reagents for use in detection or treatment of bacterial, viral, and fungal infections  
CANCELLED UNDER SECTION 8(2)  
91V1202 78102873 PENDING 5

UNITED STATES  
09 - AS FILED, research and diagnostic biochemical and biological reagents for use in detection or treatment of bacterial, viral, and fungal infections  
CANCELLED UNDER SECTION 8(2)  
91V1202 78102873 PENDING 0

PANAMA (and US In)  
UNITED STATES  
01 - research and diagnostic biochemical and biological reagents for eg. bacterial, serological, DNA typing, food processing and research laboratories  
CANCELLED UNDER SECTION 8(2)  
91V1095 74012701 72571905 1,607,775 ABANDONED  
PV-PVRA US1

UNITED STATES  
05 - research and diagnostic biochemical and biological reagents for use in detection or treatment of bacterial, viral, and fungal infections  
CANCELLED UNDER SECTION 8(2)  
91V1095 74012701 72571905 1,607,775 ABANDONED  
PV-PVRA US1

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PART I of Section 3.8(a) (continued)

1/19/1995 74623257 7/20/1908 (989,510 REGISTERED

PV PVRO US9

UNITED STATES

08 Scientific apparatus, namely detectors and analyzers, and parts thereof, of products, metabolic, cellular metabolites, vitamins, bacteria and

substances, cells

US 567 15

PART 1 of Section 3.8(a)(continued)

UNITED STATES	PV REGD US16	11/28/1993	74463325	4874400164	16	
16 - biological and biological reagents and related apparatus						
<b>PROSTAGLANDIN (Assigned from Anoron Biosciences (a PanVera))</b>						
EUROPEAN UNION	Auto PILOS E111	24.12.2009	PE11100		1	
01 - reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
EUROPEAN UNION	Auto PILOS E110	24.12.2009	PE11000		6	
05 - diagnostic reagents and assays for clinical research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
EUROPEAN UNION	Auto PILOS E112	24.12.2009	PE112000		42	
42 - pharmaceutical research and development services, assay and screen development, compound screening, compound and chemical identification, and drug target identification and characterization						
UNITED STATES	Auto PILOS US1	7/6/2001	76781291	ALLOYED	1	
01 - reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
UNITED STATES	Auto PILOS US5	7/6/2001	76781293	ALLOYED	5	
05 - diagnostic reagents and assays for clinical research laboratory use in biological, chemical and environmental testing and for the screening of compounds						
<b>REAS1 (filed in § 1(1) Intell to Use, September 2002)</b>						
UNITED STATES	PV REAS1 US1	9/27/2002	78768397	PE11100	1	
01 - AS FILED: Reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds, chemical use in the manufacture of pharmaceuticals, agricultural compounds and cosmetics						
UNITED STATES	PV REAS1 US5	9/27/2002	78768397	PE11100	5	
05 - AS FILED: Diagnostic reagents and assays for clinical research laboratory use in biological and environmental testing and for the screening of compounds						
<b>RECU</b>						
UNITED STATES	PV RECU US1	3/4/1997	75751874	10720106	2,107,722	REGISTERED
01 - AS FILED: Used animal and biological reagents for medical research use, namely, cytokine P450 enzyme products						
UNITED STATES	PV RECU US5	3/4/1997	75751874	10720106	2,107,722	REGISTERED
05 - AS FILED: Medicinal and biological reagents for medical diagnostic use, namely, cytokine P450 enzyme products						

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PART 1 of Section 3.8(a)(continued)

RIPS

UNITED STATES PV RIPS US 1  
01 - AS ANTIHERPES biological reagents for scientific or research use  
AS FILED. Unclassified and biological reagents

UNITED STATES

05 - Biological reagent  
PV RIPS US 5  
8251879 78713 712 ABANDONED

THE PROTEIN COMPANY

UNITED STATES PV PROCD US 1  
01 - AS ANTIHERPES biological reagents for scientific or research use  
AS FILED. Unclassified and biological reagents

UNITED STATES

05 - Biological reagent  
PV PROCD US 5  
512284 76037 345 1/18/2002 2,652,638 REGISTERED  
01 - AS ANTIHERPES biological reagents for clinical medical use and for medical diagnostic use  
AS FILED. Unclassified and biological reagents

UNITED STATES

05 - Biological reagent  
PV PROCD US 5  
1084200 78122 618 ABANDONED

VIVID (Assigned from ANTOYA Biosciences to PanVera)

CALIFORNIA ANTO VVIVL-CA 1  
01 - reagents and assays for serologic and research/diagnostic use in biological, chemical and environmental testing and for the screening of compounds

EUROPEAN UNION

ANTO VVIVL-CA 5  
05 - diagnostic reagents and assays for clinical medical laboratory use in biological and environmental testing and for the screening of compounds

EUROPEAN UNION

ANTO VVIVL-CA 1  
01 - reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds

EUROPEAN UNION

ANTO VVIVL-CA 5  
05 - diagnostic reagents and assays for clinical medical laboratory use in biological and environmental testing and for the screening of compounds

EUROPEAN UNION

ANTO VVIVL-CA 42  
02 - pharmaceutical research and development services, namely, assay development, compound and screening, compound and chemical identification, and drug target  
identifiers and characterization

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PART 1 of Section 3.8(a)(continued)

UNITED STATES	ANALYTICAL USE	4/17/2002 76428-380	5/18/2002	2,583,327 REGISTERED	1
01 - reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds.					
UNITED STATES	ANALYTICAL USE	4/17/2002 76428-380	5/18/2002	2,583,327 REGISTERED	5
05 - diagnostic reagents and assays for clinical medical laboratory use in biological and environmental testing and for the screening of compounds.					
<b>WEYVARE (Assigned from Aurora Biosciences to PanVera)</b>					
UNITED STATES	ANALYTICAL USE	4/02/1999	1,158,808	4/02/2000	1,158,808 REGISTERED
05 - assays and reagents for use in laboratories and clinics for biological testing					
EUROPEAN UNION	ANALYTICAL USE	4/30/1999	1,158,808	4/30/2000	1,158,808 REGISTERED
09 - laboratory equipment and clinical equipment for biological testing					
UNITED STATES	ANALYTICAL USE	1/14/1998 76582-430	3/02/2002	2,345,174 REGISTERED	1
01 - reagents and assays for scientific or research laboratory use in biological testing					
UNITED STATES	ANALYTICAL USE	1/14/1998 76582-430	3/02/2002	2,345,174 REGISTERED	5
05 - AS AMENDED, clinical medical reagents and assays for use in biological testing					
UNITED STATES	ANALYTICAL USE	1/14/1998 76582-430	3/02/2002	2,345,174 REGISTERED	8
05 - AS AMENDED, laboratory apparatus, namely computer hardware and software, chemical test kits, incubators, laboratory safety apparatus, laboratory equipment, including consumables, and test tubes and wells for use in laboratory, chemicals for use as pharmaceuticals, agricultural compounds and diagnostics					
AS FILED, laboratory equipment and clinical equipment for biological testing					
<b>Z-LYTE</b>					
UNITED STATES	PV Z-LYTE US1	10/10/2002 76176-031	PENDING		1
01 - AS FILED, reagents and assays for scientific and research laboratory use in biological, chemical and environmental testing and for the screening of compounds					
UNITED STATES	PV Z-LYTE US5	10/10/2002 76176-031	PENDING		5
05 - AS FILED, diagnostic reagents and assays for clinical medical laboratory use in biological, chemical and environmental testing and for the screening of compounds					

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PART 1 of Section 18(a)(continued)

Patricia M. ... Government Law ... Federal ...

(1) Section 18(a) filed by ... Pan Vera ... this mark went abandoned. My application has been filed.

(2) Section 18(a) not filed by ... Pan Vera ... this mark went abandoned. My application has been filed.

(3) This application was abandoned September 26, 2002 by failure to respond to Office Action. The original application 76813/345 in Classes 1 and 5 was reinstated. There was a series of Office Actions that Pan Vera's previous counsel was not able to overcome, registration was refused and received a Notice of Abandonment. We requested the registrar file mark in the Supplemental Register, however he instead filed a new application (76322 916) on the Principal Register in class 1 only. An Office Action was then received citing their previous filing against them. We filed to reinstate the original filing, and let the second filing in Class 1 go abandoned.

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