

04-07-2008



103494815

To the Director of the U. S. Patent and Trademark Office

Attachments or the new address(es) below.

80.2.4

1. Name of conveying party(ies):

Xceed Molecular Corporation

- Individual(s)
- General Partnership
- Corporation- State: **Canada**
- Other
- Association
- Limited Partnership

Citizenship (see guidelines)

Additional names of conveying parties attached? Yes No

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) **February 15, 2008**

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: **MMV Financial Inc.**

Internal

Address:

Street Address: **95 Wellington St. West**

City: **22nd Floor Toronto**

State: **Ontario**

Country: **Canada** Zip: **M5J 2N7**

- Association
- General Partnership
- Limited Partnership
- Corporation
- Other

Citizenship _____
Citizenship _____
Citizenship _____
Citizenship **Canadian**
Citizenship _____
If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No. (s)

77087707

B. Trademark Registration No.(s)

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

Zipler (Typed) Application filed January 22, 2007

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: **James Smith**

Internal Address: **LaBarge Weinstein PC**

Street Address: **800 - 515 Legget Drive**

City: **Ottawa**

State: **Ontario** Zip: **K2K 3G4**

Phone Number: **613-599-9600 x 264**

Fax Number: **613-599-0018**

Email Address: **js@lwlaw.com**

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) **\$40.00**

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date **04/08/2008 - 07/07/2008**

b. Deposit Account Number _____

Authorized User Name _____

9. Signature:

Signature

James Smith

Name of Person Signing

Apr 1/08
Date

Total number of pages including cover sheet, attachments, and document: **15**

CONFIRMATION OF GRANT OF SECURITY INTEREST

This will confirm that, pursuant to a general security agreement (hereinafter referred to as the "GSA") dated December 28, 2006, between Xceed Molecular Corporation, a corporation organized under the laws of Canada (hereinafter referred to as "Xceed Molecular"), whose full post office address is 1 Marmac Drive, Toronto, Ontario M9W 1E7 and MMV Financial Inc. (hereinafter referred to as "MMV"), a specialty finance corporation incorporated under the laws of Canada, whose full post office address is 95 Wellington Street West, 22nd Floor, Toronto, Ontario, M5J 2N7, and for good and valuable consideration, the receipt and sufficiency of which are hereby confirmed and acknowledged, Xceed Molecular confirms that it has granted to MMV a security interest, lien and charge in all of Xceed Molecular's right, title and interest in and to the intellectual property listed on the Schedule attached hereto, including, without limitation, the copyrights, trademarks, patents and trademark and patent applications and registrations listed therein, and in and to any and all continuations, continuations-in-part, updates, developments, divisions, reissues and re-examinations which issue therefrom, the same to be held and enjoyed by MMV, strictly subject to the terms of the GSA.

EXECUTED at Toronto this 15 day of February, 2008.

XCEED MOLECULAR CORPORATION

By: 

Name: STEPHEN REID

Title: CFO

I have authority to bind the Corporation

SCHEDULE OF INTELLECTUAL PROPERTY

TRADEMARKS

Canadian Trademarks or Trademark Applications		Registration		Goods/ Services	Status
Mark File Reference	Country	No. & Registration Date	Date		
Xceed Molecular	Canada	1320402	October 17, 2006	Services: 1. Technical Research in the field of genomics 2. Sale of lab Equipment (micro array) 3. Licensing of computer software 4. Preparation and sale of others of arrays containing oligo probes for genes, and other ligands as specified by its clients.	Recent filing
Ziplax	Canada	1320403	October 17, 2006	Wares: Multiplex analysis equipment and software for the measurement and analysis of gene expression,...etc.	Recent Filing.

US Trademarks or Trademark Applications			Goods /Services	Status
Mark File Reference	US Serial No. Filing Date Basis			

ZIPLEX	USPTO Serial # 77067707 Use based	The literal element of the mark consists of ZIPLEX. The mark consists of standard characters, without claim to any particular font, style, size, or color.	Pending Filed January 22, 2007 by Feinberg Law Group
XCEED MOLECULAR	USPTO Serial # 77067729 Use based	The literal element of the mark consists of XCEED MOLECULAR. The mark consists of standard characters, without claim to any particular font, style, size, or color	Pending Filed January 22, 2007 by Feinberg Law Group
XCEED MOLECULAR (TYPED)	77067729 1/22/07	International Class 009: Software used for data entry, image capture and image analysis in the fields of biotechnology, drug discovery research, disease management and therapeutic and toxicity assessments; laboratory equipment, namely, a micro-array used in analyzing gene expression patterns, single nucleotide polymorphisms, qualitative assays and protein arrays. International Class 042: Technical research and consulting services in the field of genomics.	Pending
XCEED MOLECULAR (SYLIZED- HORIZONTAL)	77090961 1/25/07	International Class 009: Software used for data entry, image capture and image analysis in the fields of biotechnology, drug discovery research, disease management and therapeutic and toxicity assessments; laboratory equipment, namely, a micro-array used in analyzing gene expression patterns, single nucleotide polymorphisms, qualitative assays and protein arrays. International Class 042: Technical research and consulting services in the field of genomics.	Pending
XCEED MOLECULAR (STYLIZED- VERTICAL)	77090989 1/25/07	International Class 009: Software used for data entry, image capture and image analysis in the fields of biotechnology, drug discovery research, disease management and therapeutic and toxicity assessments; laboratory equipment, namely, a micro-array used in analyzing gene expression	Pending

			patterns, single nucleotide polymorphisms, qualitative assays and protein arrays. International Class 042: Technical research and consulting services in the field of genomics.	
ZIPLEX (TYPED)	77067707 1/22/07		International Class 009: Multiplex test analysis equipment and software for the measurement and analysis of gene expression, single nucleotide polymorphisms, qualitative assays and protein arrays by means of hybridization, imaging and data quantification.	Pending
ZIPLEX (STYLIZED)	77090963 1/25/07		International Class 009: Multiplex test analysis equipment and software for the measurement and analysis of gene expression, single nucleotide polymorphisms, qualitative assays and protein arrays by means of hybridization, imaging and data quantification.	Pending

International Trademarks or Trademark Applications

Mark File Reference	Country	Registration No. & Registration Date	Goods/ Services	Status
4D 44921-7084	Switzerland	497,265 November 19, 2001	Laboratory equipment namely a micro array used in analyzing gene expression patterns, in class 9 Technical research and consulting services in the field of genomics, in class 42	Registered Renewal due November 19, 2011
FLOW THRU CHIP	Switzerland	409,147	Laboratory equipment namely a micro array used in analyzing gene expression	Registered



44921-7064		June 14, 2001	patterns, in class 9 Technical research and consulting services in the field of genomics, in class 42.	Renewal due June 14 2011
METRIGENIX 44921-7070	European community (ACTM _E)	002330652 Jan 13, 2003	Laboratory equipment namely a micro array used in analyzing gene expression patterns, in class 9. Technical research and consulting services in the field of genomics, in class 42.	Registered Renewal due August 7, 2011
METRIGENIX 44921-7071	Japan	4,646,083 February 21 2003	Laboratory experimental machines and apparatus used in analyzing gene expression Patterns, in class 9. Technical research and consulting services in the field of genomics in class 42.	Registered Renewal due February 21 2013
METRIGENIX 44921-7072	Switzerland	498,319 August 10, 2001	Laboratory equipment namely a micro array used in analyzing gene expression patterns in class 9 Technical research and consulting services in the field of genomics in class 42.	Registered Renewal due August 10 2011
METRISOFT	Japan	471 1371	Computer software namely software used	Registered

44921-7113		September 19 2003	for data entry, image capture and image analysis in the fields of biotechnology, drug discovery, research, disease management and therapeutic and toxicity assessments, in class 9.	Renewal due January 19, 2013
METRISOFT 44921-7109	Switzerland	509,388 January 24 2003	Computer software namely software used for data entry, image capture and image analysis in the fields of biotechnology, drug discovery, research, disease management and therapeutic and toxicity assessments, in class 9.	Registered Renewal due January 24, 2013
MGX 44921-7108	Switzerland	509,389 January 24, 2003	Laboratory equipment namely a micro array used in analyzing gene expression patterns, in class 9 Technical research and consulting services in the field of genomics, in class 42.	Registered Renewal due January 24 2013
4D 44921-7083	Japan		Laboratory Equipment namely a micro array used in analyzing gene expression patterns, in class 9	Counsel advised that the application will likely be refused - instructions sent to counsel

<p>FLOW-THRU CHIP 44921-7062</p>	<p>European community (ACTM_E)</p>	<p>002258507 June 15, 2001</p>	<p>Technical research and consulting services in the field of genomics in class 42.</p>	<p>on November 27 2001 asking them not to file. FILE CLOSED Pending.</p>
<p>FLOW THRU CHIP 44921-7063</p>	<p>Japan</p>	<p>2001-58148 June 26, 2001</p>	<p>Laboratory Equipment namely a micro array used in analyzing gene expression patterns in class 9 Technical research and consulting services in the field of genomics in class 42.</p>	<p>Abandoned</p>
<p>METRISOFT 44921-7111</p>	<p>European Community (ACTM_E)</p>	<p>003019502 January 23, 2003</p>	<p>Computer software, namely software used for data entry, image capture and image analysis in the fields of biotechnology, drug discovery research, disease management and therapeutic and toxicity assessments in class 9.</p>	<p>Pending</p>
<p>MGX</p>	<p>European Community</p>	<p>003019395</p>	<p>Laboratory Equipment namely a micro array</p>	<p>Pending.</p>

44921-7110	(ACTME)	January 23, 2003	used in analyzing gene expression patterns, in class 9	
MGX	JAPAN	2003-4811 January 24, 2003	Technical research and consulting services in the field of genomics, in class 42. Laboratory Equipment namely a micro array used in analyzing gene expression patterns in class 9 Technical research and consulting services in the field of genomics in class 42.	Response to office Action due December 2, 2003

Intellectual Property Owned by the Corporation

Patents

Country	Title	Inventors	Assignee/Owner	Filing Date	Appl. #	Issue/ Publ. Date	Patent/ Publ. #	Docket #	Status
USA	Flow-thru chip cartridge, chip holder, system & method therefor	Goodman, J., Torres, M., Yang, H., Mateer, D., Smith, I.	Gene Logic	12Nov03	09/926094			BR135	Ownership transferred to Metrigenix/Xceed
USA	Inmobilized nucleic acid hybridization reagent and method	Cass, A., Valtel, C., Steel, A.	Gene Logic	01Jan00	09/482607	6,312,906	06Nov01	BR144	Ownership transferred to Metrigenix/Xceed
USA	Flow-thru chip cartridge, chip holder, system & method therefor	Goodman, J., Torres, M., Yang, H., Mateer, D., Smith, I.	Gene Logic	12Nov03	09/926094	05Feb08	7,326,561	BR135	Ownership transferred to Metrigenix/Xceed

Australia	Flow-thru chip cartridge chip holder, system & method thereof	Hoke, G., Steel, A., Hartwell, J.	Gene Logic	02Jul02	2002315483			BR161	Ownership transferred to Metrigenix/Xceed Pending.
PCT	Markers for autoimmune disease detection	Barnes, D., Dempsey, A.	Metrigenix/Xceed Molecular	12Aug05	WO2005US0 028801	23Feb06	WO06020999		Nationalization phase Pending
EPC	Markers for autoimmune disease detection	Barnes, D., Dempsey, A.	Metrigenix/Xceed Molecular	12Aug05	EP20050007 86543	30May07	EP1789798		

Corporation Software

1) MetriSoft (note: while the Corporation owns MetriSoft, it is no longer used in current assay instruments being commercialized by the Corporation)

- i) software to control the MGX1200CL 4D cartridge imager and to perform image analysis
- ii) Vendor use
- iii) Software requires an Intel Pentium CPU capable of running Microsoft Windows 2000 or Windows XP
- iv) All customers that had purchased a 4d system would have used MetriSoft
- v) Author: numerous employees of Xceed Molecular
- vi) Source code is maintained at Xceed Molecular
- vii) No intellectual property registration has been made for this software

2) ZIPLEx Control System Software

- i) software to control the ZIPLEx assay instrument and to perform image analysis (note: N2 licensed software is embedded in the ZIPLEx Control System Software)
- ii) Vendor use
- iii) Software requires a CPU (Intel Celeron, Pentium or equivalent) with a processor speed of 1.7 MHZ or greater and capable of running Microsoft Windows XP Pro
- iv) All customers that purchase a ZIPLEx assay instrument system
- v) Author: numerous employees of Xceed Molecular as well as Engenuity Corporation (a paid contractor to the Corporation)
- vi) Source code is maintained at Xceed Molecular
- vii) No intellectual property registration has been made for this software

Domain Names

TRADEMARK

REEL: 003823 FRAME: 0465

www.metrix.com

- i. Registered owner: Xceed Molecular Corporation
- ii. Registrar: Tucows
- iii. Current Status: active
- iv. Expiry date: November 30, 2008

www.xceedmolecular.com

- i. Registered owner: Xceed Molecular Corporation
- ii. Registrar: Data Depot Inc.
- iii. Current Status: active
- iv. Expiry date: August 22, 2008

www.xceedmolecular.ca

- i. Registered owner: Xceed Molecular Corporation
- ii. Registrar: Mr Joel Liederman
- iii. Current Status: active
- iv. Expiry date: October 30, 2008

www.xceeddx.com

- i. Registered owner: Xceed Molecular Corporation
- ii. Registrar: Data Depot Inc.
- iii. Current Status: active
- iv. Expiry date: August 22, 2009

Licensed Inventions

Country	Title	Inventors	Assignee/Owner	Filing Date	Appl. #	Issue/ Publ. Date	Patent/ Publ. #	Docket #	Status
USA	Microfabricated, flowthrough porous apparatus for discrete detection of binding	Beattie, K.	UT-Battelle, LLC	10Apr98	08/631751	01Dec98	5,843,767	BR108	Exclusive license to Metrix/ix/Xceed

TRADEMARK

REEL: 003823 FRAME: 0466

USA	reactions Microfabricated, flowthrough porous apparatus for discrete detection of binding reactions	Beattie, K.	Gene Logic	21Apr98	09/063356	17May05	6,893,816	BR107	Exclusive license to Metrigenix/Xceed
USA	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	UT-Battelle, LLC	27Dec04	11/020239	24Oct06	7,125,674	BR188	Exclusive license to Metrigenix/Xceed
EPC	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	EPO725682	BR105	Exclusive license to Metrigenix/Xceed
Japan	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	51280395	31Oct03	3488465	BR103	Exclusive license to Metrigenix/Xceed
Canada	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	2174140	06Apr04	2174140	BR104	Exclusive license to Metrigenix/Xceed
Sweden	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Austria	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR106	Exclusive license to Metrigenix/Xceed
Belgium	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Switzerland	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed

Portugal	detection binding reactions Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Germany	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	89439207.4	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Spain	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Great Britain	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
France	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Denmark	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Ireland	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Italy	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed
Netherlands	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	95901052.1	20Mar02	0725682	BR105	Exclusive license to Metrigenix/Xceed

Australia	apparatus for discrete detection binding reactions	Beattie, K.	Gene Logic	27Oct94	10435495	15Apr99	700315	BR106	Exclusive license to Metrigenix/Xceed
Canada	Microfabricated flowthrough porous apparatus for discrete detection binding reactions	Torres, M., Goodman, J., Smith, J., Yang, H., Mateer, D.	Gene Logic	02Dec00	2364361			BR132	Ownership transferred to Metrigenix/Xceed
EPC	Flow-thru chip cartridge, chip holder, system & method therefor	Torres, M., Goodman, J., Smith, J., Yang, H., Mateer, D.	Gene Logic	02Dec00	00992465.5			BR133	Ownership transferred to Metrigenix/Xceed
EPC	Microfabricated, flowthrough porous apparatus for discrete detection of binding reactions	Beattie, K.	Gene Logic	27Oct94	01118897.6			BR134	Exclusive license to Metrigenix/Xceed
USA	Flow-thru chip cartridge, chip holder, system & method therefor	Goodman, J., Torres, M., Yang, H., Mateer, D., Smith, J.	Gene Logic	12Nov03	09/926094	05Feb08	7,326,561	BR135	Ownership transferred to Metrigenix/Xceed
USA	Immobilized nucleic acid hybridization reagent and method	Caas, A., Valat, C., Steel, A.	Gene Logic	01Jan00	09/482607	6,312,906	06Nov01	BR144	Ownership transferred to Metrigenix/Xceed
Australia	Flow-thru chip cartridge chip holder, system & method thereof	Hoke, G., Steel, A., Hartwell, J.	Gene Logic	02Jul02	2002315483			BR161	Ownership transferred to Metrigenix/Xceed
USA	Microfabricated, flowthrough porous apparatus for discrete detection of binding reactions	Beattie, K.	Gene Logic	17Nov05	11280266			BR189	Exclusive license to Metrigenix/Xceed
EPC	Method and apparatus for absorbing a medium into a capillary device	Lehmann, Volker	Infrineon	31May01	2001000113 300	08Feb06	EP1161995		Licensed to Xceed
USA	Arrangement for taking up liquid analytes	Lehmann, Volker	Infrineon	30May01	09/667,830	20Jun02	US 2002-0076353		Licensed to Xceed

USA	Method and arrangement for taking up a first medium, which is present in a first phase, into a capillary device	Lehmann, Volker	Infinion	30May01	09/870321	12Sep02	US 2002-0127705	Licensed to Xceed
PCT	Markers for autoimmune disease detection	Barnes, D., Dempsey, A.	Metigenix/Xceed Molecular	12Aug05	WO2005US028801	23Feb06	WO06020899	Pending, Nationalization phase
EPC	Markers for autoimmune disease detection	Barnes, D., Dempsey, A.	Metigenix/Xceed Molecular	12Aug05	EP2005000786543	30May07	EP1789798	Pending