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Verne, B. Michael

From: [REDACTED]
Sent: Thursday, April 05, 2007 4:09 PM
To: Verne, B. Michael
Subject: Exclusive license issue

Mike,

If you are still around, can you give me a call.

Questions involves exclusive licenses.

- ① Licensee has the option exercisable for the first month to obtain the right to manufacture or designate who will manufacture. Licensee has no intention of exercising the option and the licensor will manufacture and supply the product. Is the fact an option is held enough to trigger the obligation to file because the person is receiving an exclusive right to use a patent to make, manufacture and sell?
- ② Assuming the option is not exercised or the person has no intention of exercising the option, licensee will have the right to determine who will manufacture when the supply agreement w/ Licensor expires. Would HSR be triggered when it obtains this right 5 years down the road?

[REDACTED]

[REDACTED]

- ① No
- ② Yes.

Bm
4/5/07

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