

FORM PTO-1594 (Modified)
 (Rev. 6-93)
 OMB No. 0651-0011 (exp. 4/94)
 Copyright 1994-97 LegalStar
 TM06/REV03

11-19-1999

EET
LY

Docket No.:
439.16

101166960

are attached original documents or copy thereof.

To the Honorable Commissioner of Patents and Trademarks

1. Name of conveying party(ies):
 Zephyr Therapeutics, Inc.
 26071 Merit Circle, Suite 104
 Laguna Hills, CA 92653

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State Texas
 Other _____

Additional names(s) of conveying party(ies) Yes No

2. Name and address of receiving party(ies):

Name: _____
 Internal Address: Zephyr Therapeutics, Inc.
 Street Address: 26071 Merit Circle, Suite 104
 City: Laguna Hills State: CA ZIP: 92653

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State California
 Other _____

If assignee is not domiciled in the United States, a domestic designation is Yes N
 (Designations must be a separate document from
 Additional name(s) & address(es) Yes N

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: August 10, 1999

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)
75/686681

B. Trademark Registration No.(s)

Additional numbers Yes No

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

Name: Robert D. Fish
 Internal Address: Crockett & Fish

Street Address: 1440 N. Harbor Blvd., Suite 706

City: Fullerton State: CA ZIP: 92835

6. Total number of applications and registrations involved:..... 1

7. Total fee (37 CFR 3.41):.....\$ \$40.00

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
500341 40

DO NOT USE THIS SPACE

9. Statement and signature.
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David Zoetewey [Signature] 9/9/11/6
 Name of Person Signing Signature Date

TRADEMARK
REEL: 001959 FRAME: 0230



09-07-1999

U.S. Patent & TM Office Mail Post DL #31

Wes 9/4/99

IN THE UNITED STATES TRADEMARK OFFICE
WASHINGTON, D.C. 20231

Applicant: Zephyr Therapeutics, Inc.

Serial No: 75/686681

Mark: ZEPH-TEX

Class: 010

Filed: April 19, 1999

Examining Attorney: (not yet assigned)

Law Office:

Phone Number:

App. Atty. Ref: 439.16

TRANSMITTAL

1. Papers Enclosed:

- New Application
 - Application
 - Declaration
 - Power of Attorney
 - Drawing Page
- Response to Office Action
- Amendment to Allege Use
- Statement of Use
- Request for Extension of Time
- Other: _____
- Certified Copy of Foreign Application

(application no.)	(date filed)	(country)
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- Assignment
 - Assignment Recordal

2. The enclosed items pertain to 1 class(es)

3. Specimens Enclosed

- 3 Specimens (1 class(es) with 3 specimens per class)

09/12/1999 RTMAIL 00000200 75606681
01 FC1481 40.00 00

CERTIFICATE OF MAILING (37 CFR 1.8a)	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to the Assistant Commissioner for Trademarks, Box Assignment, Fee 2900 Crystal Drive, Arlington, VA 22202-3513.	
<i>Sara Kipp</i> _____ Sara Kipp	Dated: <u>9/4/99</u>

**TRADEMARK
REEL: 001959 FRAME: 0231**

4. Fee Calculation

Enclosed	Fees	No. of Classes	Rate per Class	Fee
	Application		\$245.00	
	Amendment to Allege Use		\$100.00	
	Statement of Use		\$100.00	
	Request for Extension of Time		\$100.00	
XX	Recordation of Assignment	Not Applicable	\$40.00	40
Total Fees				\$ 40.00

5. Fee Payment Being Made At This Time


- Enclosed (Check no. 7938 in the amount of \$ 40.00)
- Not Enclosed
- Charge Account No. 500341 in the amount of \$ 40.00.

6. Authorization to Charge Additional Fees

- The Assistant Commissioner for Trademarks is hereby authorized to charge any fees and costs during the entire pendency of this application to Account No. 500-341, and to deposit any overpayments to Account No. 500-341.

CROCKETT & FISH

Dated: August 31, 1999

By 
 ROBERT D. FISH
 Reg. No. 33,880

1440 N. Harbor Blvd., Suite 706
 Fullerton, CA 92835
 Tel: 714-449-2337
 Fax: 714-449-2339

TRADEMARK
REEL: 001959 FRAME: 0232

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U.S. PATENT & TRADEMARK OFFICE

09-07-1999

U.S. Patent & TMOs/TM Mail Room D1 621

439.16

ASSIGNMENT

WHEREAS, Zephyr Therapeutics, Inc., a Texas Corporation has intended to use the mark ZEPH-TEX in interstate commerce and has filed an application with the United States Patent and Trademark Office on April 19, 1999 on its bona fide intent to use such mark in commerce, which application has been given Serial No. 75/686681, but has not yet filed an allegation of use of the mark under Section 1(c) or 1(d) of the Trademark Act; and

WHEREAS, Zephyr Therapeutics, Inc., a California Corporation of 26071 Merit Circle #104, Laguna Hills, CA 92653 is acquiring the entire business or portion thereof to which the mark pertains as required by 15 U.S.C. § 1060;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Zephyr Therapeutics, Inc., a Texas Corporation does hereby assign to Zephyr Therapeutics, Inc. a California Corporation the mark in the above-identified application as part of the entire business or portion thereof to which the mark pertains as required by 15 U.S.C. § 1060.

Zephyr Therapeutics, Inc. a Texas Corporation

Dated: August 10, 1999

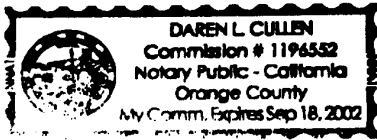
By: Cathy Orr
Cathy Orr

**TRADEMARK
REEL: 001959 FRAME: 0233**

STATE OF CALIFORNIA)
COUNTY OF Orange) ss.

On August 10, 1999 before me, personally appeared Cathy Orr
_ personally known to me or

_ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal,

Daren L. Cullen
Signature of Notary

CAPACITY CLAIMED BY SIGNER

- Individual
- Corporate Officer
- Partner(s) Limited General
- Attorney-in-fact
- Trustee(s)
- Guardian/Conservator for
- Other

DESCRIPTION OF ATTACHED DOCUMENT

Assignment
Title or Type of Document

Date of Document: August 10, 1999

SIGNER IS REPRESENTING
self



RECORDED: 09/07/1999

TRADEMARK
REEL: 001959 FRAME: 0234