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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Docket No. **221/018** *WFO 1.19.00*

**101271103**

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**PROCTER & GAMBLE PHARMACEUTICALS, INC.**

Individual                       Association  
 General Partnership         Limited Partnership  
 Corporation                      State: \_\_\_\_\_  
 Other

Additional name(s) of conveying party(ies) attached?  
 Yes                                 No

2. Name and address of receiving party:  
Name: **DURA PHARMACEUTICALS, INC.**

Internal Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Street Address: **7475 Lusk Boulevard**

City: **San Diego**                      State: **CA** Zip: **92121-4204**

Individual(s) Citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership  
 Limited Partnership  
 Corporation State **California** \_\_\_\_\_  
 Other

Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement         Change of Name  
 Other \_\_\_\_\_

Execution Date: **December 21, 1999**

4. Application number(s) or Trademark number(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Trademark Application No(s): \_\_\_\_\_                      B. Trademark Registration No(s): **1,763,584**

Additional numbers attached?  Yes  No

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

Name: **Kenneth H. Ohriner**

Internal Address: **LYON & LYON LLP**  
**633 West Fifth Street, Suite 4700**  
**Los Angeles, CA 90071-2066**  
**Phone: 213-489-1600**

6. Total number of applications and trademarks involved: **1**

7. Total fee (37 CFR 3.41):                      \$ 40.00  
 Enclosed  
 Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: **12-2475**

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.

*Kenneth H. Ohriner*  
Kenneth H. Ohriner, Reg. No. 31,646                      Date: **January 13, 2000**

Total number of pages including cover sheet: **3**

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

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TRADEMARK  
REEL: 002022 FRAME: 0962

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Assignor: Procter & Gamble Pharmaceuticals, Inc.**

**Assignee: Dura Pharmaceuticals, Inc.**

**TRADEMARK ASSIGNMENT**

THIS TRADEMARK ASSIGNMENT, effective as of the 28<sup>th</sup> day of August, 1996 is made by and between PROCTER & GAMBLE PHARMACEUTICALS, INC., a corporation organized and existing under the laws of the State of Ohio, with a principal place of business at One Procter & Gamble Plaza, Cincinnati, Ohio 45202 ("ASSIGNOR"); and DURA PHARMACEUTICALS, INC., a corporation organized and existing under the laws of the State of Delaware, with a principal place of business at 7475 Lusk Boulevard, San Diego, California 92121 ("ASSIGNEE");

BE IT KNOWN by these present, that:

WHEREAS, the said ASSIGNOR is the sole owner of all the trademark rights in and to the following Trademark ("Trademark") and the registration therefor ("Registration") which have been issued by the United States Patent and Trademark Office:

Carbobid, Reg. No. 1,763,584

WHEREAS, ASSIGNOR desires to sell, transfer and assign to ASSIGNEE, all right, title and interest in and to the Trademark and Registration;

WHEREAS, ASSIGNEE is desirous of acquiring the entire right, title and interest in and to the Trademark and the Registration;

NOW THEREFORE, for good and valuable consideration, receipt and adequacy of which is hereby acknowledged, ASSIGNOR DOES HEREBY ASSIGN unto ASSIGNEE all rights, title and interest in and to the Trademark and the Registration for the United States, together with all the goodwill of the business in connection with which the Trademark is used and which is symbolized by the Trademark, along with the right to sue and recover for damages and profits and all other remedies for past infringements thereof.

TO HAVE AND TO HOLD by ASSIGNEE, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this transfer and assignment not been made.

ASSIGNOR covenants and agrees that it will, without charge to ASSIGNEE, whenever so requested by ASSIGNEE, execute and deliver such further instruments and perform any other reasonable acts that ASSIGNEE may require as may be necessary or convenient for vesting in ASSIGNEE the full benefit of all the rights and premises hereby assigned and/or provide evidence to support any of the foregoing in the event such evidence is deemed necessary by ASSIGNEE, to the extent such evidence is in the possession or control of ASSIGNOR.

ASSIGNOR requests that this transfer of ownership be duly filed and recorded. ASSIGNEE does hereby accept this trademark assignment and requests the transfer of ownership be duly filed and recorded.


PHARMACEUTICALS

IN WITNESS WHEREOF, PROCTER & GAMBLE, INC. and DURA PHARMACEUTICALS, INC. have hereunto set their hands and seals this 21 day of December, 1999.

ASSIGNOR:

PHARMACEUTICALS

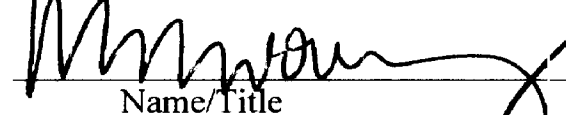
PROCTER & GAMBLE, INC.

  
\_\_\_\_\_  
Name/Title

David M. Moyer, Assistant Secretary

ASSIGNEE:

DURA PHARMACEUTICALS, INC.

  
\_\_\_\_\_  
Name/Title

Mitchell R. Woodbury  
Senior Vice President and General Counsel