

FORM PTO-1618A

Expires 06/30/99
OMB 0651-0027

07-12-2001

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

101774608

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☐ New
- ☐ Resubmission (Non-Recordation)
Document ID #
- ☐ Correction of PTO Error
Reel # Frame #
- ☒ Corrective Document
Reel # 1542 Frame # 0923

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment
Effective Date
Month Day Year
- ☐ Merger
- ☐ Change of Name
- ☒ Other CORRECTION - CONVEYANCE APPLIES TO
SERIAL NO. 73/575,866 NOT 73/352,974

Conveying Party

☐ Mark if additional names of conveying partiesName MURO PHARMACEUTICAL, INC.Execution Date
Month Day Year
 12/30/96Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association
- ☐ Other
- ☐ Citizenship/State of Incorporation/Organization MASSACHUSETTS

Receiving Party

☐ Mark if additional names of receiving parties attachedName THE CHASE MANHATTAN BANKDBA/AKA/TA Composed of Address (line 1) 270 PARK AVENUEAddress (line 2) Address (line 3) NEW YORK

City

 NEW YORK

State/Country

 10017

Zip Code

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- ☐ Corporation ☐ Association
- ☒ Other BANK
- ☐ Citizenship/State of Incorporation/Organization

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FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK

REEL: 002326 FRAME: 0909

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

212 756-2451

Name

PAUL A. JUERGENSEN

Address (line 1)

SCHULTE ROTH & ZABEL LLP

Address (line 2)

919 THIRD AVENUE

Address (line 3)

NEW YORK, NEW YORK 10022

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

9

Trademark Application Number(s) or Registration Number(s)

☐ Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

73/352,974

Number of Properties

Enter the total number of properties involved.

#

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

40.00

Method of Payment:

Enclosed ☐

Deposit Account ☒

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

500675

Authorization to charge additional fees:

Yes



No



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. Charges to deposit account are authorized, as indicated herein.

PAUL A. JUERGENSEN

Name of Person Signing

Signature

JUNE 27, 2001

Date Signed

01-13-1997

SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

481-40 482-600

To the Honorable Commissioner of

1. Name of conveying party(ies):

MURO PHARMACEUTICAL, INC.
890 East Street

- ☐ Individuals ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporate-State - Massachusetts
☐ Other

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

3. Nature of conveyance:

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

Execution Date: December 30, 1996

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

Name: THE CHASE MANHATTAN BANK

Internal Address:

Street Address: 270 Park Avenue

City: New York State NY ZIP 10017

☐ Individual(s) citizenship

☐ Association

☐ General Partnership

☐ Limited Partnership

☐ Corporation-State

☒ Other Bank

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ yes ☐ no
(Designation must be a separate document from assignment) Additional name(s) & address(es) attached? ☐ yes ☐ no

4. Application number(s) or patent number(s):

A. Trademark Application No(s)

See Attached Listing

B. Trademark Registration No.(s)

See Attached Listing

Additional numbers attached? ☒ Yes ☐ No

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

Name: Jonathan R. Harris, Esq.

Internal Address:

Edwards & Angell

Street Address: 101 Federal Street

City: Boston State MA ZIP 02110

6. Total number of applications and registrations involved

25

7. Total fee (37 CFR 3.41)..... \$240.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit Account Number:

(Attach duplicate copy of this page if paying by deposit account)

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.

Andrea A. Jacobs

Name of Person Signing

Signature

January 10, 1997

Date

Total number of pages including cover sheet, attachments, and document 10

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Washington, D.C. 20231

TRADEMARK

PTO FORM 1594

REEL: 1542 FRAME: 0923

TRADEMARK
REEL: 002326 FRAME: 0911

SECTION A: TRADEMARK APPLICATION NO(S):

Marks with Pending Applications

<u>Marks</u>	<u>Serial No./Filing Date</u>	<u>Use</u>
GLYCO-NASAL	75-127,011 June 28, 1996	Preparation, namely, an anti-cholinergic (drying agent) in aerosol form to be sprayed into the nose
ASTHMA ABC's: ASTHMA, BREATHING, CONTROL	75-101,597 May 7, 1996	Board game for educational purposes
GLYCO-SOLUTION	75,037,620 December 22, 1995	Preparation; namely, an anti-cholinergic (drying agent) in aerosol forms for children, to be used in inhalation therapy
TRI-NASAL	74-533,287 June 6, 1994	Preparation, namely a nasal steroid sprayed into the nose
MURO'S OPCON	73-352,974 March 4, 1982	Ophthalmic solution

TRADEMARK
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REEL: 002326 FRAME: 0912

SECTION 1: TRADEMARK REGISTRATION NO(S):

Marks with Federal Registration

<u>Marks</u>	<u>Registration No./Reg. Date</u>	<u>Use</u>
MURO	1,855,494 September 27, 1994	Full line of pharmaceuticals
INTRI NASAL	1,759,401 March 23, 1993	Preparations; namely, an anti-cholinergic (drying agent) in solution form to be sprayed into the nose
GLYCO-VENT	1,742,105 December 22, 1992	Preparation; namely, an anti-cholinergic (drying agent) in aerosol form to be used in an inhaler and sprayed into the mouth
GUAITAB	1,700,149 July 14, 1992	Preparation, for human use, in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis
BROMFED DM	1,638,857 March 26, 1991	Preparation, namely, cough syrup
IOTUSS	1,507,759 October 11, 1988	Preparation, namely, a cough suppressant
IOTUSS DM	1,507,758 October 11, 1988	Preparation, namely, a cough suppressant
PRELONE	1,460,596 October 13, 1987	Preparation, namely, natural and synthetic adrenocortical steroids
SALINEX	1,557,565 September 26, 1989	Preparation, namely, buffered isotonic, saline nasal solution
128	1,445,933 July 7, 1987	Hypertonic ophthalmic solution drug product

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OPCON-A	1,482,990 April 5, 1988	Ophthalmic solution prescription drug product
DUOLUBE	1,251,447 September 20, 1983	A sterile bland ophthalmic ointment containing white petrolatum and liquid petrolatum for human use at night for dry eyes
SULPHRIN	1,202,491 July 27, 1982	Ophthalmic preparation
GUAIFED-PD	1,460,594 October 13, 1987	Preparation, namely, an orally ingested respiratory decongestant and expectorant
BROMFED	1,295,621 September 18, 1984	A timed release pharmaceutical capsule for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis for temporary relief
LIQUID PRED	1,273,302 April 10, 1984	Preparation, namely, prednisone
BROMFED-PD	1,273,301 April 10, 1984	Preparation for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis
GUAIFED	1,251,453 September 20, 1983	Preparation for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis
MUROCEL	1,555,432 September 12, 1989	Sterile ophthalmic solution
MUROCOLL	793,587 August 3, 1965	Medicinal eye drops

TRADEMARK
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REEL: 002326 FRAME: 0914

SECURITY AGREEMENT (TRADEMARKS)

WHEREAS, MURO PHARMACEUTICAL, INC., a Massachusetts corporation, with a principal place of business at 890 East Street, Tewksbury, MA 01876 (the "Company") and THE CHASE MANHATTAN BANK, with a place of business at 270 Park Avenue, New York, New York 10017 (the "Bank") have entered into a Loan and Security Agreement dated as of December 30, 1996 (the "Loan and Security Agreement"); and

WHEREAS, the Company is the owner and user of the trademarks listed on Schedule A hereto and identified in said Loan and Security Agreement (the "Trademarks"); and

WHEREAS, among the security interests granted by the Company to the Bank pursuant to the Loan and Security Agreement is a security interest in the Trademarks listed on Schedule A hereto, together with the goodwill of the business associated with and symbolized by such Trademarks; and

WHEREAS, the parties to the Loan and Security Agreement contemplate and intend that, if an Event of Default (as defined in the Loan and Security Agreement) shall occur and be continuing, the Bank shall have all rights of the Company in and to the Trademarks and the goodwill of the business of the Company associated with and symbolized by the Trademarks as may be necessary or proper in order to enable the Bank, as foreclosing secured party, to continue such business of the Company or, following such foreclosure, to transfer to a purchaser all such rights as may be necessary or proper to enable such purchaser to continue such business of the Company;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties reconfirm the terms of the Loan and Security Agreement, as if set forth fully herein, and acknowledge that the Bank has a security interest in the Trademarks listed on Schedule A hereto, together with the goodwill of the business associated with and symbolized by such Trademarks; as security for the Obligations (as defined in the Loan and Security Agreement), the Company hereby collaterally assigns to the Bank, and grants a security interest to the Bank in and to, all of the Company's right, title and interest in and to said Trademarks and the goodwill of the business associated therewith; the Company agrees that it will not sell or assign any of the Trademarks without the prior written consent of the Bank; and the Company and the Bank request that the Commissioner of Patents and Trademarks record this document with respect to the Trademarks.

The Company hereby appoints the Bank as the Company's attorney-in-fact (with full power of substitution and resubstitution) with the power and authority, after the occurrence and during the continuance of any Event of Default (as defined in the Loan and Security Agreement), to execute and deliver, in the name and on behalf of the Company, and to cause the recording of all such further assignments and other instruments as the Bank may deem necessary or desirable in order to carry out the intent of the Loan and Security Agreement and this Security Agreement (Trademarks). The Company agrees that all third parties may

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**SCHEDULE A
TO
SECURITY AGREEMENT (TRADEMARKS)**

Marks with Federal Registration

<u>Marks</u>	<u>Registration No./Reg. Date</u>	<u>Use</u>
MURO	1,855,494 September 27, 1994	Full line of pharmaceuticals
INTRI NASAL	1,759,401 March 23, 1993	Preparations; namely, an anti-cholinergic (drying agent) in solution form to be sprayed into the nose
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IOTUSS	1,507,759 October 11, 1988	Preparation, namely, a cough suppressant
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PRELONE	1,460,596 October 13, 1987	Preparation, namely, natural and synthetic adrenocortical steroids
SALINEX	1,557,565 September 26, 1989	Preparation, namely, buffered, isotonic, saline nasal solution

TRADEMARK
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128	1,445,933 July 7, 1987	Hypertonic ophthalmic solution drug product
OPCON-A	1,482,990 April 5, 1988	Ophthalmic solution prescription drug product
DUOLUBE	1,251,447 September 20, 1983	A sterile bland ophthalmic ointment containing white petrolatum and liquid petrolatum for human use at night for dry eyes
SULPHRIN	1,202,491 July 27, 1982	Ophthalmic preparation
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MUROCEL	1,555,432 September 12, 1989	Sterile ophthalmic solution

BOS, 45810/ZC501/DCK

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REEL: 002326 FRAME: 0917

MUROCOLL

793,587
August 3, 1965

Medicinal eye drops

Marks with Pending Applications

<u>Marks</u>	<u>Serial No./Filing Date</u>	<u>Use</u>
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TRI-NASAL	74-533,287 June 6, 1994	Preparation, namely a nasal steroid sprayed into the nose
MURO'S OPCON	73-352,974 March 4, 1982	Ophthalmic solution

BOS 45810/ZC5011.DOC

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REEL: 002326 FRAME: 0918

SCHULTE ROTH & ZABEL LLP

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Writer's E-mail Address
paul.juergensen@srz.com

June 27, 2001

EXPRESS MAIL

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Re: Correction to Reel 1542/Frame 0923
Security Agreement (Trademarks)
Muro Pharmaceutical, Inc./The Chase Manhattan Bank
Our Ref.: 014914/0048

Dear Sir or Madam:

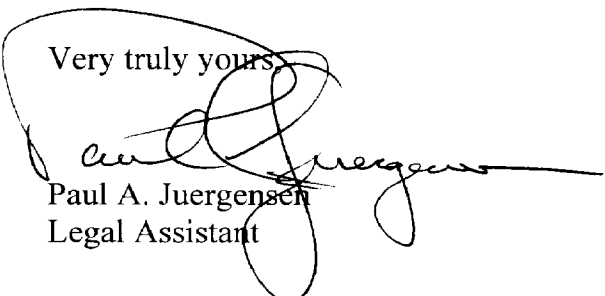
We enclose for recordation a Document Cover Sheet to correct the U.S. Patent and Trademark Office records concerning the above-referenced recordation. Please record the correction against the U.S. trademark filing identified in the accompanying Document Cover Sheet.

The document recorded at Reel 1542/Frame 0923-0931 was improperly recorded against Application Serial No. 73/352,974, in the name of Educational Communications, Inc., because of an error on the schedule. The above-referenced document should have been recorded against Application Serial No. 73/575,866 for the mark MURO'S OPCON.

We authorize the deduction from Schulte Roth & Zabel LLP's Deposit Account No. 500675 of \$40.00, plus any deficiencies therein, to cover recordation fees, and we enclose an extra copy of the Document Cover Sheet for this purpose.

We also enclose a self-addressed, postage pre-paid postcard which we request that you date stamp and return as evidence of your receipt of this filing.

Very truly yours,


Paul A. Juergensen
Legal Assistant

Enclosures

RECORDED: 06/28/2001

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REEL: 002326 FRAME: 0919