

08-09-2001

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

101805132

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

1. Name of conveying party(ies): ELAN Pharma International Limited

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other Private Limited Company of Ireland

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

2. Name and address of receiving party(ies) Name: Andrx Laboratories, Inc.

Internal Address: Street Address: 2915 Weston Road City: Weston State: IL Zip: 33331

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Mississippi, Other

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

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

Execution Date: June 30, 2001

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 888,938 1,819,384 1,763,584

Additional number(s) attached Yes No

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

Name: Rebecca Lederhouse

Internal Address: McDermott, Will & Emery

Street Address: 227 W. Monroe

City: Chicago State: IL Zip: 60606

6. Total number of applications and registrations involved: 3

7. Total fee (37 CFR 3.41): \$ 90.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

13-0206

(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.

Rebecca Lederhouse

Name of Person Signing

Signature

August 1, 2001

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

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01 FC:481 40.00 CH 02 FC:482 50.00 CH

TRADEMARK REEL: 002344 FRAME: 0499

# TRADEMARK ASSIGNMENT

(ENTEX)

This Trademark Assignment dated as of June 30, 2001, is made by and between Elan Pharma International Limited, a private limited company organized under the laws of the Republic of Ireland ("Assignor"), and Andrx Laboratories, Inc., a Mississippi corporation, ("Assignee").

A. Assignor's predecessor in interest adopted, used, and Assignor or its Affiliate is presently using and is the owner of the entire right, title and interest in and to the trademarks, including registrations and applications therefor, identified in Schedule A attached hereto (the "Trademarks");

B. Assignee desires to acquire Assignor's entire right, title and interest in and to the Trademarks;

C. Assignor makes this assignment pursuant to the closing delivery requirements set forth in Section 5.02 of that certain Entex Asset Purchase Agreement, dated June 30, 2001, by and among Assignor, Assignee and Andrx Corporation (the "Asset Purchase Agreement"), under which Assignee purchased certain Purchased Assets (as defined therein) from Assignor, including but not limited to the Trademarks; and

D. NOW, THEREFORE, for good and valuable consideration stated in the Asset Purchase Agreement, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. Assignor does hereby sell, assign, and transfer unto Assignee the entire right, title and interest of Assignor in and to the Trademarks, together with the goodwill of the business symbolized by said Trademarks and associated therewith, including the right to bring actions for infringement of the Trademarks occurring prior to the date of this Trademark Assignment.

2. Assignor covenants and agrees that it will, upon the reasonable request of the Assignee, execute and deliver, any and all documents provided by Assignee that may be necessary or desirable to transfer to Assignee, its successors or other legal representative, the Assignor's right, title and interest in and to such Trademarks.

3. Except as set forth in the Asset Purchase Agreement, Assignor makes no warranty, express or implied, with respect to the Trademarks involved in this assignment and Assignee shall have no recourse against Assignor therefor.

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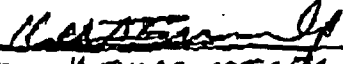
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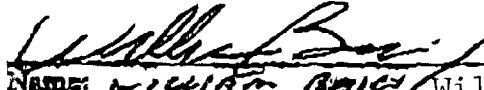
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IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

ELAN PHARMA INTERNATIONAL LIMITED

  
Name: KEVIN INSLEY Kevin Insley  
Title: AUTHORIZED SIGNATORY

ANDRX LABORATORIES, INC.

  
Name: WILLIAM BAICY William Baicy  
Title: VICE PRESIDENT Vice President

[SIGNATURE PAGE TO INTELLECTUAL PROPERTY ASSIGNMENT]

SCHEDULE A

**TRADEMARKS**

<b>Trademark</b>	<b>Reg No./App No.</b>	<b>Country</b>	<b>Status</b>
ENTEX	Reg No. 888,938	United States	Current
CARBOBID	Reg No. 1,763,584	United States	Current
HYDROBID	Reg No. 1,819,384	United States	Lapsed