

09-14-2001
101842847

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

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

1. Name of conveying party(ies): **9-701**
Reliant Pharmaceuticals, Inc.
 Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State New York
 Other _____
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
Name: Bay City Pharmaceuticals, Inc.
Internal Address: _____
Street Address: 125 W. 55th St., 11th Floor
City: New York State: NY Zip: 10023
 Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State Delaware
 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: February 28, 2000

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
75/888,000
75/888,001
Additional number(s) attached Yes No

B. Trademark Registration No.(s)
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Matthew W. Walch
Internal Address: _____
Street Address: 233 S. Wacker Dr.
Suite 5800
City: Chicago State: IL Zip: 60606

6. Total number of applications and registrations involved: 2
7. Total fee (37 CFR 3.41).....\$ 65.00
 Enclosed
 Authorized to be charged to deposit account
8. Deposit account number:
50-1125
(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.
Matthew W. Walch Matthew W. Walch September 5, 2001
Name of Person Signing Signature Date
Matthew W. Walch Matthew W. Walch September 5, 2001
Total number of pages including cover sheet, attachments, and document: 2

09/13/2001 TDI AZ1 00000176 75888000
01 FC:481 40.00 OP
02 FC:482 25.00 OP

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

TRADEMARK
REEL: 002366 FRAME: 0359

NUNC PRO TUNC TRADEMARK ASSIGNMENT

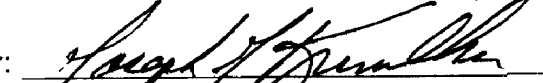
WHEREAS, Reliant Pharmaceuticals, Inc., a corporation organized under the laws of New York, having its principal address at 125 West 55th Street – 11th Floor, New York, New York 10019-5369 (“Reliant”), owns and has a *bona fide* intent to use the trademark RELIANT PHARMACEUTICALS (the “Mark”) in connection with the following goods and services: pharmaceutical and biopharmaceutical preparations for the prevention and treatment of human diseases and disorders, namely allergy medications analgesics, anti-infectives, anti-neoplastics, cardiovascular pharmaceuticals, dietary supplements, gastro-intestinal treatment preparations, pharmaceutical preparations for the prevention and treatment of human metabolic disorders, neurotherapeutic pharmaceuticals, respiratory pharmaceuticals, skin and mucous membrane pharmaceuticals, hormones and endocrinological pharmaceuticals, blood modifiers and nasal and otic pharmaceuticals and marketing and selling of pharmaceutical and biopharmaceutical preparations for others.

WHEREAS, Reliant has applied to register the Mark on the Principal Register of the United States Patent and Trademark Office based on Reliant’s *bona fide* intent to use the Mark in commerce in connection with the above-identified goods and services (Serial Nos. 75/888,000 & 75/888,001) (the “Pending Applications”); and

WHEREAS, Bay City Pharmaceuticals, Inc., a corporation organized under the laws of Delaware (“Bay City”) having its principal address at 125 West 55th Street – 11th Floor, New York, New York 10023, desires to acquire the Mark and the portion of Reliant’s business in connection with which Reliant has a *bona fide* intent to use the Mark and the Pending Applications;

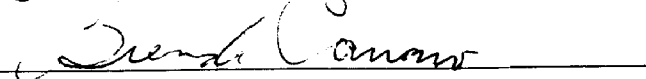
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Reliant hereby sells, assigns and transfers to Bay City all right, title and interest in and to the Mark and the Pending Applications therefor, *nunc pro tunc*, effective as of February 28, 2000. This sale, assignment and transfer is made together with the sale, assignment and transfer of that portion of Reliant’s business in connection with which it has a *bona fide* intent to use the Marks as provided for in the Assignment Agreement dated February 28, 2000.

RELIANT PHARMACEUTICALS, INC.

By: 
Name: Joseph J. Krivluka
Title: President & Treasurer

Dated effective as of February 28, 2000

SUBSCRIBED and SWORN to before me this
15 day of August, 2001.


Notary Public
My Commission Expires: 3/22/06