

FORM PTO-1618a

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12-26-2001

U.S. Patent & TMOfo/TM Mail Rpt Dt. #76

U.S. Department of Commerce

Patent and Trademark Office

TRADEMARK

12.26.01

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01-03-2002

SHEET

TO: The Commissioner of Patents and

Final document(s) or copy(ies)

**Submission Type**

☒ New

☐ Resubmission (Non-Recordation)  
Document ID# \_\_\_\_\_

☐ Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

☐ Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

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☒ Assignment

☐ License

☐ Security Agreement

☐ Nunc Pro Tunc Assign.  
Effective Date \_\_\_\_\_

☐ Merger

☐ Change of Name

☐ Other: \_\_\_\_\_

Month Day Year

**Conveying Party**

☐ Mark if additional names of conveying parties attached

Name: Novartis Corporation

Execution Date

Dec 12, 2001

Month Day Year

Formerly: Ciba-Geigy Corporation

☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association

☐ Other: \_\_\_\_\_

☒ Citizenship/State of Incorporation/Organization: New York

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name: NeoSan Pharmaceuticals, Inc.

DBA/AKA/TA: \_\_\_\_\_

Composed of: \_\_\_\_\_

Address (line 1): 2320 Scientific Park Drive

Address (line 2): \_\_\_\_\_

Address (line 3): Wilmington, North Carolina, U.S.A. 28405

City

State/Country

Zip Code

☐ Individual ☐ General Partnership ☐ Limited Partnership

☒ Corporation ☐ Association

☐ Other: \_\_\_\_\_

☒ Citizenship/State of Incorporation/Organization: Delaware

If document to be recorded is an assignment and the receiving party is not domiciled in the U.S., an appointment of a domestic representative should be attached (separate document from Assignment)

For Office Use Only

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**Domestic Representative Name and Address**

Enter for the First Receiving Party Only.

Name: \_\_\_\_\_

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

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

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

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

**Correspondent Name and Address**

Area Code and Telephone Number: 919-854-1400

Name: F. Michael Sajovec, Myers Bigel Sibley & Sajovec, P.A.Address: P.O. Box 37428Address: Raleigh, North Carolina 27627

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

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

**Pages** Enter the total number of pages of the attached conveyance document including any attachments #6**Trademark Application Number(s) or Registration Number(s)**☐ Mark if additional numbers attached*Enter either the Application Number or the Registration Number (DO NOT ENTER BOTH)***Trademark Application Number(s):**

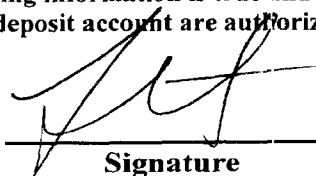
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**Registration Number(s):**1,033,587 \_\_\_\_\_**Number of Properties**Enter the total number of properties involved: #1**Fee Amount**Fee Amount for Properties Listed (37 CFR 3.41): \$40.00Method of Payment: ☐ Enclosed ☒ Deposit Account # 50-0220Authorization to charge additional fees: ☒ Yes ☐ No**Statement of 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.

F. Michael Sajovec

Name of Person Signing

  
Signature12/20/2009  
Date Signed

# TRADEMARK ASSIGNMENT AGREEMENT

THIS TRADEMARK ASSIGNMENT AGREEMENT dated as of December 13, 2001 by Novartis Corporation, a New York corporation ("Assignor") to NeoSan Pharmaceuticals Inc., a Delaware corporation ("Assignee").

## BACKGROUND

A. Assignor owns the United States trademarks, including registrations, identified in Schedule A attached hereto (the "Assigned Trademarks"); and

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

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged:

1. Assignor does hereby sell, transfer, convey and assign unto Assignee Assignor's entire right, title and interest in and to the Assigned Trademarks as indicated in Schedule A hereto, together with the goodwill of the business appurtenant thereto and which is symbolized thereby, and the right to renew the trademark registrations included in the Assigned Trademarks, to be held and enjoyed by Assignee for its own use and benefit and for the use and benefit of its successors and assigns, to be used fully and entirely as said rights would have been held and enjoyed by Assignor had this assignment not been made.

2. Assignor hereby authorizes the Assistant Commissioner of Trademarks of the United States and other empowered officials of the United States Patent and Trademark Office to record the transfer of the registrations for the Assigned Trademarks, identified in Schedule A, to Assignee as assignee of Assignor's entire right, title and interest therein or otherwise as Assignee may direct, in accordance with this Trademark Assignment Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Assignor has caused its proper officer to execute this Trademark Assignment Agreement as of the date first above written.

NOVARTIS CORPORATION

By: M +  
Name: MARTIN P. HENRICH  
Title: EXEC. VP

Sworn to me this 12<sup>th</sup> day of Dec, 2001

Wayne P. Merkelson  
Notary Public

WAYNE P. MERKELSON  
Notary Public, State of New York  
No. 31-4622495  
Qualified in New York County  
My Commission Expires Nov. 30, 2003

**ASSIGNED TRADEMARKS**

Trademark	Assignor	Registration No.	Registration Date
BRETHINE	Novartis Corporation	1033587	February 17, 1976

961281000613

**CERTIFICATE OF MERGER  
OF  
SANDOZ CORPORATION  
INTO  
CIBA-GEIGY CORPORATION  
UNDER SECTION 904 OF THE BUSINESS CORPORATION LAW**

We, the undersigned, Jeff Benjamin and Bruce J. Brunberg, being respectively Vice President, General Counsel and Secretary, and Assistant Secretary of Ciba-Geigy Corporation and Robert L. Thompson, Jr. and Wayne P. Markelson, being respectively Vice President, General Counsel and Secretary, and Vice President, Associate General Counsel and Assistant Secretary of Sandoz Corporation hereby certify:

**FIRST:** The name of the constituent corporation which is to be the surviving corporation is Ciba-Geigy Corporation and the name under which it was formed is Ardsley Chemical Corporation. The date upon which its Certificate of Incorporation was filed by the Department of State is November 15, 1966.

**SECOND:** The name of the other constituent corporation which is being merged into the surviving corporation is Sandoz Corporation, and the name under which it was formed is Zodnas Holdings, Inc. The date upon which its Certificate of Incorporation was filed by the Department of State is December 22, 1976.

**THIRD:** The Board of Directors of each of the constituent corporations has duly adopted a Plan of Merger setting forth the terms and conditions of the merger of said corporations.

**FOURTH:** As to each constituent corporation, the designation and number of outstanding shares of each class and series and the voting rights thereof are as follows:

- (a) Designation, voting rights and number of shares in each class or series outstanding:
  - (1) For Ciba-Geigy Corporation:
    - (i) Common Stock, \$1.00 par value; voting; 72,230,756 shares outstanding
    - (ii) Common Stock, \$1.00 par value; nonvoting; 5,304 shares outstanding
  - (2) For Sandoz Corporation:
    - Common Stock, \$1.00 par value; voting; 1,000 shares outstanding

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- (b) Shares entitled to vote as a class or series:  
(1) For Ciba-Geigy Corporation: None  
(2) For Sandoz Corporation: None

FIFTH: The merger was adopted by each constituent corporation in the following manner:

- (a) As to Sandoz Corporation, by the written consent of the sole shareholder.  
(b) As to Ciba-Geigy Corporation, by the written consent of the sole shareholder.

SIXTH: The Certificate of Incorporation of Ciba-Geigy Corporation is hereby amended as follows:

- (a) Article 1 (concerning the name of the corporation) of the Certificate of Incorporation is hereby deleted in its entirety and replaced with:

"The name of the corporation shall be Novartis Corporation."

SEVENTH: The effective date of the merger shall be January 1, 1997.

IN WITNESS WHEREOF, we have signed this certificate on the 26 day of December, 1996, and we affirm the statements contained therein as true under penalties of perjury.

CIBA-GEIGY CORPORATION

By: [Signature]  
Name: John Benjamin  
Title: Vice President  
By: [Signature]  
Name: Joce Benjamin  
Title: Assistant Secretary

SANDOZ CORPORATION

By: [Signature]  
Name: Robert L. Thompson, Jr.  
Title: Vice President  
By: [Signature]  
Name: Wayne P. Markham  
Title: Assistant Secretary

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CERTIFICATE OF MERGER

OF

SANDOZ CORPORATION

INTO

CIBA-GEIGY CORPORATION

UNDER SECTION 904 OF THE BUSINESS CORPORATION LAW

CURTIS, MALLET-REVEST, COLT &  
 MOSLE  
 101 PARK AVE.  
 SUITE 3500  
 NEW YORK, NY 10178

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STATE OF NEW YORK  
 DEPARTMENT OF STATE

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