

03-19-2002



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

RE

102020599

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): Altus Biologics Inc. 3-12-02 [checkboxes for Individual(s), Association, General Partnership, Limited Partnership, Corporation-State of DE, Other] Additional name(s) of conveying party(ies) attached? [checkboxes] Yes [checkbox] No

2. Name and address of receiving party(ies) Name: Transamerica Technology Internal Finance Corporation Address: Street Address: 76 Batterson Park Rd. City: Farmington State: CT Zip: 06032 [checkboxes for citizenship, Association, General Partnership, Limited Partnership, Corporation-State DE, Other] If assignee is not domiciled in the United States, a domestic representative designation is attached: [checkboxes] Yes [checkbox] No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? [checkboxes] Yes [checkbox] No

3. Nature of conveyance: [checkboxes for Assignment, Merger, Security Agreement, Change of Name, Other] Execution Date: March 13, 2002

4. Application number(s) or registration number(s): A. Trademark Application No.(s) 76/033,877 B. Trademark Registration No.(s) 2,416,022 Additional number(s) attached [checkboxes] Yes [checkbox] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Internal Address: RETURN TO: LexisNexis Document Solutions Post Office Box 2869 Springfield, Illinois 62708 Street Address: City: State: Zip:

6. Total number of applications and registrations involved: 13 7. Total fee (37 CFR 3.41): \$ 340.00 [checkboxes for 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. Allen Sailer Signature March 14, 2002 Date [checkbox] 23 Total number of pages including cover sheet, attachments, and document:

03/19/2002 DRYRNE 00000210 76033877 40.00 OP 300.00 OP

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

TRADEMARK REEL: 002463 FRAME: 0821

LIST OF TRADEMARK REGISTRATIONS AND APPLICATIONS
OWNED BY ALTUS BIOLOGICS, INC.

I. Altus-owned Trademark Registrations

United States, Japan, and European Community (unless noted):

<u>Trademark</u>	<u>U.S. Registration No.</u>
✓ALTUS:	2,416,022
✓CHIROCLEC:	2,312,137
✓CHIROKIT :	2,239,205
✓CHIROSCREEN:	2,240,967
✓CHIROTOOL:	2,239,208
✓CLEC:	1,944,401
✓CLECS (USA only):	1,951,643
✓PEPTICLEC:	2,316,900
✓PEPTIKIT:	2,239,206
✓PEPTITool (USA only):	2,239,207
✓SYNTHACLEC (USA only):	2,316,899

Japan and EC only; not in United States:

ANTIOXCLEC	4155334JP (Class 1); 416883EC; 4155335JP (Class 5); 4159556JP (Class 40) 4171806JP (Class 42)
PEPTISCREEN	4152330JP (Class 1); 140582EC; 4171743JP (Class 16); 4171113JP (Class 42)

II. Altus-Owned Applications (with Serial Numbers)

CRYSTALOMICS

- ✓(United States) Serial No. 76/033,877 (Application Date: April 25, 2000)
(Canada) Appl. No. 1,079,005 (Application Date: October 17, 2000)
(EC) Appl. No. 001910512 (Application Date: October 19, 2000)
(Japan) Appl. No. 2000-115298 (Application Date: October 24, 2000)

Goods and services: proteins and chemicals, namely antibodies, enzymes, glycoproteins, hormones and peptides, for general industrial and manufacturing use and scientific, medical, and agricultural purposes; same for medical and veterinary clinical and

diagnostic use; manufacture, modification, and design of proteins and chemicals for others; research, development, design and testing of proteins and chemicals.

Status: Received and responded to First Office Action in United States, awaiting PTO response

Foreign Status: pending

✓ **ALTUS** (United States only) Serial No. 75/937,182 (Application Date: March 6, 2000)

Goods and Services: oral supplements and pharmaceutical preparations for metabolic and gastrointestinal disorders; processing and modification of food for others, to alter nutritional, health or physical characteristics.

Status: Expansion in Scope of Goods and Services for ALTUS: to cover proteins and chemicals in all areas of healthcare. Remove mention of food or food processing.

**SUPPLEMENT ONE
TO
PATENT AND TRADEMARK SECURITY AGREEMENT**

This SUPPLEMENT ONE TO PATENT AND TRADEMARK SECURITY AGREEMENT ("Agreement"), dated as of ~~February~~ ^{March} 13, 2002, is entered into between **ALTUS BIOLOGICS INC.**, a Delaware corporation ("Grantor"), which has a mailing address at 625 Putnam Avenue, Cambridge, MA 02139 and **TRANSAMERICA TECHNOLOGY FINANCE CORPORATION**, successor in interest to **Transamerica Business Credit Corporation**, a Delaware corporation ("TTFC"), having its principal office at 9399 West Higgins Road, Suite 600, Rosemont, Illinois 60018, and having an office at 76 Batterson Park Road, Farmington, Connecticut 06032.

RECITALS

A. Grantor and TTFC previously entered into a Patent and Trademark Security Agreement dated as of October 20, 2000 (the "Original Agreement"), which was recorded in the U.S. Patent and Trademark Office with respect to the trademarks and patents identified therein;

B. Grantor and TTFC also previously entered into a Loan and Security Agreement dated June 18, 1999 (as amended, if at all, the "Loan Agreement") and other instruments, documents and agreements contemplated thereby or related thereto (collectively, together with the Loan Agreement and the Original Agreement, the "Loan Documents"). Pursuant to the Loan Documents, Grantor has granted to TTFC a security interest in, among other things, all of Grantor's present and future general intangibles, including, without limitation, trademarks, patents and other "Collateral" (as defined in the Original Agreement);

C. Grantor and TTFC desire to supplement the Original Agreement to make specific reference to the trademarks, patents and other intellectual property set forth below. The Original Agreement shall continue in full force and effect with respect to the Collateral described therein. By entering into this Supplement, the parties do not intend to imply that the trademarks, patents and other intellectual property set forth below are not covered and perfected by the existing Loan Documents, including, without limitation, the Original Agreement and the Loan Agreement.

NOW THEREFORE, for valuable consideration, the parties hereto mutually agree as follows:

1. Exhibit A and Exhibit B of the Original Agreement are hereby supplemented by the addition of the intellectual property set forth on Exhibit A

attached hereto, so that the "Collateral" (as defined in the Original Agreement) includes, without limitation, all of the intellectual property set forth in Exhibit A and Exhibit B to the Original Agreement and all of the intellectual property set forth in Exhibit A hereto.

2. Grantor confirms its grant to TTFC of a security interest in all of Grantor's right, title and interest in the Collateral, including, without limitation, all of the intellectual property set forth in Exhibit A and Exhibit B to the Original Agreement and all of the intellectual property set forth in Exhibit A hereto, to secure the payment and performance of all "Obligations" (as defined in the Loan Agreement).

3. The Grantor represents and warrants that Exhibit A and Exhibit B to the Original Agreement, together with Exhibit A hereto, constitute a true and complete schedule of all federal and state trademark and patent registrations, and pending registrations and applications, owned or controlled by Grantor or licensed to Grantor.

4. Except as modified herein, all terms and conditions of the Original Agreement shall continue in full force and effect, and Grantor represents and warrants to TTFC that all representations and warranties set forth in the Original Agreement, as supplemented hereby, are true and correct. This Supplement is an integral part of the Original Agreement.


IN WITNESS WHEREOF, this Supplement has been executed as of the date first written above.

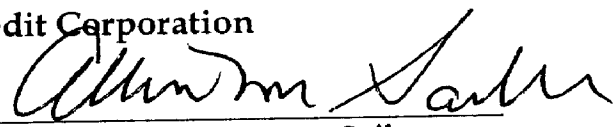
Grantor:

Accepted:

ALTUS BIOLOGICS INC.

**TRANSAMERICA TECHNOLOGY
FINANCE CORPORATION, successor
in interest to Transamerica Business
Credit Corporation**

By 
Title President & CEO

By 
Title Allen M. Sailer
Sr. Vice President

**SUPPLEMENTAL LIST OF REGISTERED
AND PENDING TRADEMARKS**

See attached.

**SUPPLEMENTAL LIST OF PATENTS
AND PATENT APPLICATIONS**

See attached.

VPI 90-01A Series						
Country	Serial No.	Filing Date	Status	Patent No.	Expires	
Australia	83154/91	7/30/91	granted; twelfth annuity due 7/30/02	662104	7/30/11	
Canada	2087730	7/30/91	granted; eleventh annuity due 7/30/02	2087730	7/30/11	
Hungary (Pipeline)	P/P00666	6/30/95	granted; ninth annuity due 7/1/02	211521	9/22/13	
Israel	99046	8/1/91	granted; fourteenth annuity due 7/31/05	99046	8/1/11	
Latvia	P-93-807	7/30/91	granted; tenth annuity due 6/30/02	10304	7/30/11	
Lithuania	IP1077	7/30/91	granted; tenth annuity due 9/22/02	3366	9/22/13	
New Zealand (Div.)	264042	7/19/94	granted; fourth annuity due 8/3/04	264042	8/3/11	
Portugal	98564	8/2/91	granted; fifth annuity due 10/20/02	98564	10/20/13	
Russia Federation	93005166.13	7/30/91	granted; twelfth annuity due 7/30/02	2124052	7/30/11	
Ukraine	93002104	7/30/91	granted; twelfth annuity due 7/30/02	27035	7/30/11	

VPI 90-01A Series		annuity due 7/30/02	
-------------------	--	---------------------	--

VPI 90-01AAA CIP 3 Series					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
United States (FWC III)	08/474,968	6/7/95	granted 9/1/98	5,801,022	4/8/14

VPI 90-01AAAA Series					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
Estonia	P9400274	11/17/94	granted;	03142	11/17/14
United States	08/017,510	2/12/93	granted 4/8/97	5,618,710	4/8/14
United States (Con 1)	08/484,238	6/7/95	granted 12/21/99	6,004,768	12/21/16
United States (Con 3)	08/484,978	6/7/95	granted 1/4/00	6,011,001	4/8/14
United States (Con 4)	08/477,109	6/7/95	granted 11/2/99	5,976,529	11/2/16
United States (Con 5)	08/476,267	6/7/95	granted 12/15/98	5,849,296	4/8/14

VPI 90-01A (CIP) Series - Crosslinked Protein and Enzyme Crystals						
Country	Serial No.	Filing Date	Status	Patent No.	Expires	
European Patent Office	91914256.2	7/30/91	pending; twelfth annuity due 7/31/02			
European Patent Office (Div.)	98105856.3	3/31/98	pending; twelfth annuity due 7/31/02			
Hong Kong (recordation of EPO 91914256.2)	98113369.9	12/15/98	pending; register by 4/1/02; first annuity due 7/30/05			
Hong Kong (Div.) (recordation of EPO 98105856.3)	01100409.5	1/21/00	pending; register by 4/1/02; first annuity due 7/30/06			
Finland	19930454	7/30/91	pending; twelfth annuity due 7/31/02			
Ireland	2767/91	8/2/91	pending			
Japan	513405/91	7/30/91	pending			
Singapore	9602857-6	7/30/91	pending	grant fee paid 4/00		
Slovak Republic	PV59-93	7/30/91	pending			

Patents Owned By Altus
As Of March 8, 2002

VPI 95-10 Series - Protein Crystal Formulations as Catalysts in Organic Solvents						
Country	Serial No.	Filing Date	Status	Patent No.	Expires	
South Africa	97/4325	5/19/97	granted; fifth annuity due 5/19/02	97/4325	5/19/17	
United States	08/652,964	5/24/96	granted 8/3/99	5,932,212	5/24/16	
United States (DIV 1)	08/868,088	6/3/97	granted 3/28/00	6,042,824	5/24/16	

VPI 95-10 Series - Protein Crystal Formulations as Catalysts in Organic Solvents						
Country	Serial No.	Filing Date	Status	Patent No.	Expires	
Chile	982-97	5/23/97	pending			
European Patent Office	97925652.6	5/20/97	pending, sixth annuity due 5/31/02			
India (A)	913CAL97	5/21/97	pending			
India (B)	934CAL97	5/23/97	pending			
Japan	9-542648	5/20/97	request for exam due 5/20/04			
Taiwan	86106384	5/13/97	pending			
Thailand	037351	5/15/97	request for exam due 7/2/04			
South Korea	98-709554	5/20/97	request for exam due 5/20/02			
Venezuela	923-97	5/20/97	pending			

VPI 96-14 Series - Controlled Dissolution Crosslinked Enzyme Crystals						
Country	Serial No.	Filing Date	Status	Patent No.	Expires	
South Africa	98/3044	4/8/98	granted; fourth annuity due 4/9/02	98/3044	4/9/18	
United States	08/834,661	4/11/97	granted 10/31/00	6,140,475	4/11/17	

VPI 96-14 and 96-14 CIP Series - Controlled Dissolution Crosslinked Enzyme Crystals						
Country	Serial No.	Filing Date	Status	Patent No.	Expires	
Canada	2286461	4/10/98	fourth annuity due 4/10/02; request for exam due 4/10/03			
Chile	749-98	4/9/98	pending			
European Patent Office	98915494.3	4/10/98	pending; fifth annuity due 4/30/02			
Hong Kong	00104573.7	7/24/00	deadline to register 4/1/02			
Japan	10-544122	4/10/98	request for exam due 4/10/05			
Russian Federation	99123632	4/10/98	examination requested on 4/10/01			
Thailand	043256	4/10/98	request for exam due 2/28/05			
United States (CIP)	09/459,395	12/3/99	pending; CPA filed on 2/14/02 and preliminary amendment due on 3/12/02			
United States (CON)	09/631,241	8/2/00	pending; RACE and response filed on 1/28/02			

Patents Owned By Altus
As Of March 8, 2002

VPI97-09 and 97-09 CIP Series - Carbohydrate Crosslinked Glycoprotein Crystals					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
South Africa	98/7378	8/17/98	granted; fourth annuity due 8/17/02	98/7378	8/17/18

VPI 97-09 and 97-09 CIP Series - Carbohydrate Crosslinked Glycoprotein Crystals					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
European Patent Office	98939254.3	8/6/98	examination requested; fifth annuity due 8/3/02		
Thailand	045900	9/2/98	request for exam due 7/2/04		
United States (CON)(CPA)	09/314,717	12/8/00	allowed; waiting for publication; paid issued fee 11/16/01		
United States (CON)(CPA)(CON)		1/14/02	pending; IDS due on 4/12/02		
United States (CIP)	09/518,849	3/3/00	pending; RCE filed 9/18/01; response to final action due 3/18/02		

VPI 97-17 Series - Micro encapsulation of Protein Crystals in Biodegradable Polymers					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
PCT (Combined with VPI98-05)	PCT/US99/09099	4/27/99	See VPI98-05		

VPI 98-05 and 98-05 CIP Series - Stabilized Protein Crystals						
Country	Serial No.	Filing Date	Status	Patent No.	Expires	
Australia	37646/99	4/27/99	pending; fifth annuity due 4/27/04; requested examination on 4/6/01			
Canada	2330476	4/27/99	pending; third annuity due 4/27/02; request for examination due 4/27/04			
European Patent Office	99920064.5	4/27/99	pending; third annuity due 4/30/02			
India	IN/PCT/2000/ 00530	4/27/99	pending			
Japan	2000-545510	4/27/99	request for exam due 4/27/06			
Singapore	200006192-9	4/27/99	pending; graft fee due 10/27/02			
South Africa	2000/6023	4/27/99	pending; third annuity due 4/27/02			
United States (CIP)	09/374,132	4/27/99	pending; CPA filed 7/2/01; response to office action filed on 3/7/02			
Hong Kong	01104882.2	7/12/01	pending			

Patent Applications Owned By Altus
As Of March 8, 2002

VPI 98-13 Series - Systems for Resolution of Enantiomeric Mixtures of Chiral Compounds					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
PCT	PCT/US99/23405	10/8/99	transferred to King & Spaulding for nationalization		

VPI 00-07 Series - High Throughput Screening for Protein Formulations					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
United States (PROV)	60/242603	10/23/00	abandoned		
PCT	PCT/US01/50835	10/23/01	pending		

VPI 00-08 Series - Crystallized Antibodies					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
United States (PROV)	60/258704	12/28/00	abandoned		
PCT	PCT/US01/49628	12/26/01	pending		
US	10/034,950	12/26/01	pending		

ALTUS 001 Series - Spherical Protein Particles					
Country	Serial No.	Filing Date	Status	Patent No.	Expires
United States (PROV)	60/299989	06/21/01	pending; foreign filing due 6/21/02		

ALTUS 002 Series - Process for the Production of Optically Active 1,3-dioxolane-4-carboxylates.

Country	Serial No.	Filing Date	Status	Patent No.	Expires
United States (PROV)			in preparation		

LIST OF TRADEMARK REGISTRATIONS AND APPLICATIONS
OWNED BY ALTUS BIOLOGICS, INC.

✓ **I. Altus-owned Trademark Registrations**

United States, Japan, and European Community (unless noted):

<u>Trademark</u>	<u>U.S. Registration No.</u>
ALTUS:	2,416,022
CHIROCLEC:	2,312,137
CHIROKIT :	2,239,205
CHIROSCREEN:	2,240,967
CHIROTOOL:	2,239,208
CLEC:	1,944,401
CLECS (USA only):	1,951,643
PEPTICLEC:	2,316,900
PEPTIKIT:	2,239,206
PEPTITool (USA only):	2,239,207
SYNTHACLEC (USA only):	2,316,899

Japan and EC only; not in United States:

ANTIOXCLEC	4155334JP (Class 1); 416883EC; 4155335JP (Class 5); 4159556JP (Class 40) 4171806JP (Class 42)
PEPTISCREEN	4152330JP (Class 1); 140582EC; 4171743JP (Class 16); 4171113JP (Class 42)

II. Altus-Owned Applications (with Serial Numbers)

CRYSTALOMICS

- ✓ (United States) Serial No. 76/033,877 (Application Date: April 25, 2000)
(Canada) Appl. No. 1,079,005 (Application Date: October 17, 2000)
(EC) Appl. No. 001910512 (Application Date: October 19, 2000)
(Japan) Appl. No. 2000-115298 (Application Date: October 24, 2000)

Goods and services: proteins and chemicals, namely antibodies, enzymes, glycoproteins, hormones and peptides, for general industrial and manufacturing use and scientific, medical, and agricultural purposes; same for medical and veterinary clinical and

diagnostic use; manufacture, modification, and design of proteins and chemicals for others; research, development, design and testing of proteins and chemicals.

Status: Received and responded to First Office Action in United States, awaiting PTO response

Foreign Status: pending

✓ **ALTUS** (United States only) Serial No. 75/937,182 (Application Date: March 6, 2000)

Goods and Services: oral supplements and pharmaceutical preparations for metabolic and gastrointestinal disorders; processing and modification of food for others, to alter nutritional, health or physical characteristics.

Status: Expansion in Scope of Goods and Services for ALTUS: to cover proteins and chemicals in all areas of healthcare. Remove mention of food or food processing.

LIST OF DOMAIN NAMES
REGISTERED AND OWNED BY ALTUS BIOLOGICS, INC

<u>Domain Name</u>	<u>Registration Date</u>	<u>Reference #</u>
altus.com	February 19, 1993	PLE191
crystallineprotein.com	February 22, 2000	KES17
crsytallomics.com	February 22, 2000	KES15
crystalomics.com	February 22, 2000	KES14
proteincrystals.com	February 22, 2000	KES16