

Attorney Docket: T-PM 5369

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

Tab settings

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

1. Name of conveying party(ies): Proctor & Gamble Pharmaceuticals, Inc.

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

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

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

Execution Date: 09 / 29 / 99

2. Name and address of receiving party(ies)

Name: Prometheus Laboratories, Inc. Internal Address: Street Address: 5739 Pacific Center Blvd. City: San Diego State: CA Zip: 92121-4203

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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,049,745

Additional number(s) attached Yes No

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

Name: Cathryn Campbell

Internal Address:

Campbell & Flores LLP

Street Address: 4370 La Jolla Village Drive

7th Floor

City: San Diego State: CA Zip: 92122

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

03-0370

DO NOT USE THIS SPACE

9. Signature.

Calvin A. Fan Name of Person Signing

Signature

September 27, 2002 Date

Total number of pages including cover sheet, attachments, and document: 2

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

TRADEMARK ASSIGNMENT

Pursuant to the Asset Sale and Purchase Agreement between Procter & Gamble Pharmaceuticals, Inc., an Ohio corporation ("Seller"), and Prometheus Laboratories, Inc., a California corporation ("Buyer"), relating to Seller's Helidac Business in the Geography and dated September 28, 1999, ("Agreement"), for good and valuable consideration to them paid by Buyer, receipt of which is hereby acknowledged and agreed, Seller hereby sells, conveys, assigns and transfers to Buyer all its right, title and interest in and to the following trademarks, trademark registrations and trademark applications:

<u>Country</u>	<u>Trademark</u>	<u>Appl'n.</u> <u>Date</u>	<u>Appl'n. No.</u>	<u>Req'n. Date</u>	<u>Req'n. No.</u>
United States	Helidac	5/18/1995	74/676017	4/1/1997	2,049,745

to have and to hold the same, and further including: (i) all income, damages, and royalties now and hereafter due and/or payable to Seller, including without limitation, damages and payments for past or future infringements and misappropriations thereof; and (ii) all rights to sue for past, present and future infringements or misappropriations thereof; and (iii) all rights corresponding to any of the above throughout the Geography and the goodwill of the business symbolized by any of such trademarks. The right, title and interest, together with the goodwill of business symbolized by such trademarks, and all applications and registrations pertaining to them, is to be held and enjoyed by Buyer and Buyer's successors and assigns as fully and exclusively as it would have been held and enjoyed by Seller had this assignment not been made, for the full term of the registrations therefor. Subject to the Agreement, Seller, hereby authorizes the Buyer to take any and all actions in connection with such trademarks, trademark registrations and trademark applications, in Buyer's own name and at the Buyer's expense. All capitalized terms used, but not defined herein, have the meanings set forth in the Agreement.

PROCTER & GAMBLE PHARMACEUTICALS, INC.

By: 

Name Printed: MARK A. COLGAN

Title: PRESIDENT

Date: 9/29/99