

Form PTO-1594
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)

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):
Merrill Lynch Business Financial Services, Inc.

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

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

2. Name and address of receiving party(ies)

Name: WellSpring Pharmaceutical Corp.
 Internal
 Address: _____

Street Address: 1430 State Route 34
 City: Neptune State: NJ Zip: 07753-6807

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State NJ
 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: 06/23/2003

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

A. Trademark Application No.(s) _____

Additional number(s) attached Yes No

B. Trademark Registration No.(s) 13382

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

Name: Kurt E. Anderson
 Internal Address: _____

Street Address: PO Box 190

City: Middletown State: NJ Zip: 07748

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 25.00

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
50-1827

DO NOT USE THIS SPACE

9. Signature.

Kurt E. Anderson _____
 Name of Person Signing Signature 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

CH \$40.00 501827 0013382

RELEASE OF TRADEMARK SECURITY AGREEMENT

Merrill Lynch Business Financial Services Inc., a Delaware corporation (the "Secured Party") and WellSpring Pharmaceutical Corporation, a Delaware corporation (the "Grantor") entered into a certain Trademark Security Agreement dated as of September 21, 1999 recorded with the United States Patent and Trademark Office on October 12, 1999 in Reel 1973, Frame 774 (the "Trademark Security Agreement"). The Secured Party hereby releases (a) its security interest in the Trademark Collateral (as defined in the Trademark Security Agreement, including, without limitation, those trademarks and licenses identified on Schedules A and B attached hereto, (b) all rights acquired by Secured Party under the Trademark Security Agreement, and (c) all duties and obligations of the Grantor under the Trademark Security Agreement.

Dated June 23, 2003

MERRILL LYNCH BUSINESS FINANCIAL SERVICES, INC.

By: Jason Deegan
Name: Jason Deegan
Title: Assistant Vice President

ACKNOWLEDGEMENT

STATE OF ~~NEW JERSEY~~ ILLINOIS)
)ss.
COUNTY OF KANE)

On JUNE 23, 2003 before me, JASON DEEGAN personally appeared IN PERSON, to me known, who, being by me sworn, did say that he is the ASST. VICE PRESIDENT of MERRILL LYNCH BUSINESS FINANCIAL SERVICES, INC., which corporation is described in, and which corporation executed, the above instrument, and that he signed his name by order of the Board of Directors of said corporation.

Nancy L. Vidad
Notary Public of

My Commission Expires June 6, 2004



**Schedule A to Release of
Trademark Security
Agreement**

TRADEMARKS

| <u>Country</u> | <u>Owner</u> | <u>Application Number</u> | <u>Registration Number</u> | <u>Registration Date</u> | <u>Trademark</u> | <u>Description of Goods</u> |
|----------------|---|---------------------------|----------------------------|--------------------------|------------------|--|
| USA | Wellspring Pharmaceutical Corporation | 72-193,818 | 785,0781 | February 6, 1965 | DYRENIUM | Diuretic |
| USA | Wellspring Pharmaceutical Corporation | 71-586,367 | 548,626 | September 25, 1951 | DIBENZYLINE | Syntholytic and adrenolytic agent, and as an agent effecting the central nervous system |
| Puerto Rico | Wellspring Pharmaceutical Corporation | | 13382 | June 1, 1965 | DYRENIUM | Diuretic |

**Schedule A to Release of
Trademark Security
Agreement**

TRADEMARK LICENSES

Limited license to use capsule shape as set forth in Section 3.7 of that certain Final Finished Pharmaceuticals Supply Agreement dated as of September 30, 1999 between SmithKline Beecham Corporation and SmithKline Beecham Pharmaceuticals Co. and WellSpring Pharmaceutical Corporation.

#360030 v1 - RELEASE OF TRADEMARK SECURITY AGREEMENT

**TRADEMARK
REEL: 002677 FRAME: 0707**

GIORDANO, HALLERAN & CIESLA

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

PLEASE RESPOND TO
U.S. POSTAL SERVICE ADDRESS:

POST OFFICE BOX 190
MIDDLETOWN, NEW JERSEY 07748

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125 HALF MILE ROAD
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OF COUNSEL:
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JOHN C. GIORDANO
(1921-1989)

CERTIFIED BY THE
SUPREME COURT OF
NEW JERSEY AS A
CIVIL TRIAL
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CLIENT/MATTER NO.

11696/0011

July 1, 2003

VIA U.S. EXPRESS MAIL & FACSIMILE (703) 306-5995

USPTO

Office of Public Records

Crystal Gateway 4, 3rd Floor

PO Box 1415

Alexandria, VA 22313

RE: Applicant: WellSpring Pharmaceutical Corporation
Registration No.: 13382
Mark: DYRENIUM

Dear Commissioner for Trademarks:

Enclosed for filing is the Applicant's Release of Trademark Security Agreement in connection with the registration indicated above. Please charge the \$25 filing fee to deposit account # 50-1827.

Very truly yours,



KURT E. ANDERSON

Express Mail label no. EK254899843US

File No. 11696/0011

KEA/jp

Encl.

cc: Wendy Shusko (via facsimile 732-751-9056)
Peter Herman (via facsimile 732-855-6117)

::ODM\PCDOCS\GHCDPCS\360936\1

TRADEMARK

RECORDED: 07/01/2003

REEL: 002677 FRAME: 0708

1000 STATE STREET, TRENTON, NEW JERSEY 08625 PHONE: (609) 695-3900