

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
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NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
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CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Merrell Pharmaceuticals Inc.		03/29/2004	CORPORATION: DELAWARE

RECEIVING PARTY DATA	
Name:	Ovation Pharmaceuticals, Inc.
Street Address:	Four Parkway North
City:	Deerfield
State/Country:	ILLINOIS
Postal Code:	60015
Entity Type:	CORPORATION: ILLINOIS

PROPERTY NUMBERS Total: 1		
Property Type	Number	Word Mark
Registration Number:	1366276	SABRIL

CORRESPONDENCE DATA	
Fax Number:	(202)339-6052
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	202-625-3500
Email:	valerie.purdy@kmzr.com
Correspondent Name:	Roger P. Furey, Esq.
Address Line 1:	1025 Thomas Jefferson Street, N.W.
Address Line 2:	Suite 700 - East Lobby
Address Line 4:	Washington, DISTRICT OF COLUMBIA 20007-5201

ATTORNEY DOCKET NUMBER:	213229.00017
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NAME OF SUBMITTER:	Valerie A. Purdy, Trademark Paralegal
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Total Attachments: 4
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TRADEMARK

REEL: 002826 FRAME: 0787

CH \$40.00 1366276

TRADEMARK ASSIGNMENT

This Trademark Assignment is made on March 29, 2004, by Merrell Pharmaceuticals Inc. ("Assignor"), in favor of Ovation Pharmaceuticals, Inc. ("Assignee").

WHEREAS, Assignor is the owner of all right, title and interest in and to the trademark, identified in Schedule A and all common law rights in the same, together with the goodwill of the business symbolized by the trademark (the "Mark");

WHEREAS, Assignee is desirous of acquiring all rights to the Mark and the registration for the same;

NOW, THEREFORE, for good and valuable consideration, referred to in a separate Product Acquisition and License Agreement dated March 29, 2004 (the "Product Acquisition Agreement"), Assignor sells, assigns, transfers and sets over to Assignee, the entire right, title, interest in and to the Mark together with the goodwill of the business symbolized by the Mark, the same to be held and enjoyed by Assignee, its successors, assignees and any other legal representatives. Assignee shall proceed with the recordal of the assignment of the Mark at the United States Patent and Trademark Office and any expenses incurred in connection with the recordal of this assignment shall be borne by the Assignee.

The Assignor hereby undertakes to give its reasonable assistance to the Assignee as to such recordal of the present assignment of the Mark.

[NO FURTHER TEXT ON THIS PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Trademark Assignment as of the date first above written.

MERRELL PHARMACEUTICALS INC.

By: MA Yeomans
Name: Michael Yeomans
Title: Vice President, Head of Global Business Development
Aventis Pharmaceuticals Inc.
Authorized Signatory for Merrell Pharmaceuticals Inc.

State of New Jersey
County of Somerset

Before me personally appeared said Michael Yeomans
and acknowledged the foregoing instrument to be his/her free act
and deed this 19 day of March, 2004

CANDI STANTON
Notary Public of New Jersey
My Commission Expires September 22, 2004

Candi Stanton
Notary Public

Seal

OVATION PHARMACEUTICALS, INC.

By: _____
Name: _____
Title: _____

State of _____
County of _____

Before me personally appeared said _____
and acknowledged the foregoing instrument to be his/her free act
and deed this ___ day of _____, 2004

Notary Public

Seal

SIGNATURE PAGE TO SABRIL® US TRADEMARK ASSIGNMENT

IN WITNESS WHEREOF, the parties hereto have executed this Trademark Assignment as of the date first above written.

MERRELL PHARMACEUTICALS INC.

By: _____
Name: Michael Yeomans
Title: Vice President, Head of Global Business Development
Aventis Pharmaceuticals Inc.
Authorized Signatory for Merrell Pharmaceuticals Inc.

State of _____)
County of _____)
Before me personally appeared said _____
and acknowledged the foregoing instrument to be his/her free act
and deed this ___ day of _____, 2004

Seal

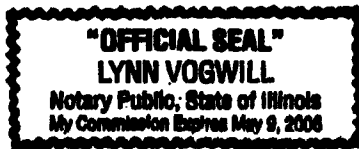
Notary Public

OVATION PHARMACEUTICALS, INC.

By: Barry M. Deutsch
Name: Barry M. Deutsch
Title: Chief Financial Officer and Vice President of Business Development

State of Illinois)
County of Cook)
Before me personally appeared said Barry M. Deutsch
and acknowledged the foregoing instrument to be his/her free act
and deed this 28 day of March, 2004

Seal



Lynn Vogwill
Notary Public

SIGNATURE PAGE TO BARRIL® US TRADEMARK ASSIGNMENT

SCHEDULE A

MARKS

- U.S. Trademark Registration No. 1366276 for SABRIL.

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