

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Eli Lilly and Company		06/30/2004	CORPORATION: INDIANA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Advancis Pharmaceutical Corporation		
<b>Street Address:</b>	20425 Seneca Meadows Parkway		
<b>City:</b>	Germantown		
<b>State/Country:</b>	MARYLAND		
<b>Postal Code:</b>	20876		
<b>Entity Type:</b>	CORPORATION: DELAWARE		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	881598	KEFLEX	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(202)223-2085		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
<b>Phone:</b>	202-861-3900		
<b>Email:</b>	dctrademarks@piperrudnick.com		
<b>Correspondent Name:</b>	Ann K. Ford		
<b>Address Line 1:</b>	1200 Nineteenth St., N.W.		
<b>Address Line 4:</b>	Washington, DISTRICT OF COLUMBIA 20036		
<b>ATTORNEY DOCKET NUMBER:</b>	030163-000048		
<b>NAME OF SUBMITTER:</b>	Laurel E. Queeno		
<b>Total Attachments: 4</b>			
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## TRADEMARK ASSIGNMENT

This Trademark Assignment (hereinafter "Assignment") is entered into as of June 30, 2004 (hereinafter "Effective Date"), by and between **Eli Lilly and Company**, an Indiana corporation, with its principal place of business at Lilly Corporate Center, Indianapolis, Indiana 46285 USA (hereinafter "Assignor"), and **Advancis Pharmaceutical Corporation**, a Delaware corporation, with its principal place of business at 20425 Seneca Meadows Parkway, Germantown, Maryland 20876 (hereinafter "Assignee").

WHEREAS, the Assignor is the owner of all right, title and interest in and to the Trademarks and the registrations listed on the attached Schedule A (hereinafter collectively the "Marks"); and

WHEREAS, Assignor is desirous of assigning, and Assignee is desirous of obtaining, all right, title and interest in and to the Marks.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns, transfers and conveys unto Assignee all right, title, and interest in and to the Marks, together with the goodwill of the business symbolized by the Marks, the same to be held and enjoyed by Assignee for its own, and for the use and enjoyment of its successors, assigns and/or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made; together with all claims for damages by reason of past infringement of the Marks, with the right to sue for, and collect the same for its own use and behalf, and for the use on behalf of its successors, assigns, or other legal representatives.

[SIGNATURE PAGE FOLLOWS]

ASSIGNOR:  
ELI LILLY AND COMPANY

ma By: John C. Lechleiter  
Name: John C. Lechleiter

Title: Executive Vice President, Pharmaceutical Operations  
Date: June 30, 2004

State of INDIANA )  
County of Marion ) : ss.:

On this June 30, 2004, before me the undersigned, a Notary Public for the State of IN, personally appeared John C. Lechleiter, personally known to me (or proved to me on the basis of satisfactory evidence) to be a OWNER of **Eli Lilly and Company** and that he/she signed his/her name thereto.

Charles T. Davaney  
Notary Public

CHARLES T. DAVANEY  
MY COMMISSION EXPIRES 6/4/07  
RESIDENT OF MARION COUNTY

ASSIGNEE:  
ADVANCIS PHARMACEUTICAL CORPORATION

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: June 30, 2004

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) : ss.:

On this June 30, 2004, before me the undersigned, a Notary Public for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be a \_\_\_\_\_ of **Advancis Pharmaceutical Corporation** and that he/she signed his/her name thereto.

\_\_\_\_\_  
Notary Public

ASSIGNOR:  
ELI LILLY AND COMPANY

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

Date: June 30, 2004

State of \_\_\_\_\_ )

: ss.:

County of \_\_\_\_\_ )

On this June 30, 2004, before me the undersigned, a Notary Public for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be a \_\_\_\_\_ of **Eli Lilly and Company** and that he/she signed his/her name thereto.

\_\_\_\_\_  
Notary Public

ASSIGNEE:  
ADVANCIS PHARMACEUTICAL CORPORATION

By: Kevin S. Sly

Name: Kevin S. Sly

Title: Senior Vice President & CBO

Date: June 30, 2004

State of MARYLAND )

: ss.:

County of MONTGOMERY )

On this June 30, 2004, before me the undersigned, a Notary Public for the State of MARYLAND, personally appeared KEVIN S. SLY, personally known to me (or proved to me on the basis of satisfactory evidence) to be a SR. VICE PRESIDENT & CBO of **Advancis Pharmaceutical Corporation** and that he/she signed his/her name thereto.

Julie M. Clifford  
Notary Public

JULIE M. CLIFFORD  
Notary Public - Maryland  
Montgomery County  
My Comm. Expires Feb. 1, 2007

Signature Page to Trademark Assignment

**TRADEMARK**  
**REEL: 002886 FRAME: 0380**

Schedule A

<b>Jurisdiction</b>	<b>Trademark</b>	<b>Registration No.</b>
United States	KEFLEX	881,598