

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	09/15/2006		
<b>CONVEYING PARTY DATA</b>			
Name	Formerly	Execution Date	Entity Type
Sanofi-Aventis U.S. LLC		09/25/2006	LIMITED LIABILITY COMPANY: DELAWARE
<b>RECEIVING PARTY DATA</b>			
Name:	Victory Pharma, Inc.		
Street Address:	12707 High Bluff Drive		
Internal Address:	Suite 200		
City:	San Diego		
State/Country:	CALIFORNIA		
Postal Code:	92130		
Entity Type:	CORPORATION: CALIFORNIA		
<b>PROPERTY NUMBERS Total: 1</b>			
Property Type	Number	Word Mark	
Registration Number:	1547034	HISTUSSIN	
<b>CORRESPONDENCE DATA</b>			
Fax Number:	(858)509-4010		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	858 509 4006		
Email:	sdipdocket@pillsburylaw.com		
Correspondent Name:	Pillsbury Winthrop Shaw Pittman/G Holley		
Address Line 1:	11682 El Camino Real		
Address Line 2:	Suite 200		
Address Line 4:	San Diego, CALIFORNIA 92130		
ATTORNEY DOCKET NUMBER:	80723.358126		
NAME OF SUBMITTER:	Gabrielle Holley		

CH \$40.00 1547034

Signature:

/GAHolley/

Date:

10/10/2006

Total Attachments: 1

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**TRADEMARK ASSIGNMENT**  
(NUNC PRO TUNC)

Whereas, **SANOFI-AVENTIS U.S. LLC**, a Delaware limited liability corporation, with place of business at 300 Somerset Corporate Boulevard, Bridgewater, New Jersey 08807, USA, (“ASSIGNOR”) has adopted, owned and used the trademark **HISTUSSIN**, registered in the U.S. Patent and Trademark Office, Registration Number **1547034** on **July 11, 1989**; and

Whereas, **VICTORY PHARMA, INC.**, a California corporation, with its principal place of business at 12707 High Bluff Drive, Suite 200, San Diego, California 92130, USA, (“ASSIGNEE”) is desirous of acquiring said mark and the registration thereof;

Whereas, pursuant to and as set forth in that certain Trademark Assignment between ASSIGNOR and ASSIGNEE dated September 15, 2006, ASSIGNOR assigns the trademark **HISTUSSIN**, the registration thereof and the goodwill associated therewith to ASSIGNEE;

Now, therefore, for good and valuable consideration, receipt of which is hereby acknowledged, **ASSIGNOR** agrees that **ASSIGNOR** hereby assigned unto **ASSIGNEE** nunc pro tunc effective as of September 15, 2006, all right, title and interest in and to the trademark **HISTUSSIN**, together with any common law rights and the goodwill of the business symbolized by the mark, and the above-identified registration thereof.

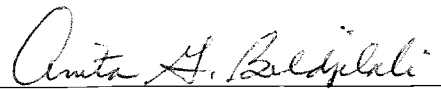
In testimony Whereof, **ASSIGNOR**, as represented by one of its of officers, has signed this instrument this 25 th day of September 2006.

**SANOFI-AVENTIS U.S. LLC**

By: 

Name: **Gregory Irace**  
Senior Vice President &  
Chief Financial Officer

SWORN to and SUBSCRIBED before me this 25<sup>th</sup> day of September, 2006



Notary Public

**ANITA G. BELDHALI**  
A Notary Public of New Jersey  
My Commission Expires March 7, 2010