

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	11/01/2009

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Lex Pharmaceuticals, Inc.		11/03/2009	CORPORATION: DELAWARE

**RECEIVING PARTY DATA**

Name:	Middlebrook Pharmaceuticals, Inc.
Street Address:	20425 Seneca Meadows Parkway
City:	Germantown
State/Country:	MARYLAND
Postal Code:	20876
Entity Type:	CORPORATION:

**PROPERTY NUMBERS Total: 5**

Property Type	Number	Word Mark
Registration Number:	3259841	KEFLEX 750 MG
Registration Number:	3259840	KEFLEX 500 MG
Registration Number:	3259839	KEFLEX 250 MG
Registration Number:	0881598	KEFLEX
Serial Number:	76670775	KEFLEX 333 MG

**CORRESPONDENCE DATA**

Fax Number: (813)273-5145  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 813-273-5000  
 Email: ptotpa@gray-robinson.com  
 Correspondent Name: Debra D. Faulk  
 Address Line 1: 201 N. Franklin Street, Suite 2200  
 Address Line 4: Tampa, FLORIDA 33601-1288

OP \$140.00 3259841

ATTORNEY DOCKET NUMBER:	54119405.14
NAME OF SUBMITTER:	Michael J. Colitz, III
Signature:	/Michael J. Colitz, III/
Date:	11/03/2009
Total Attachments: 2 source=LexPharmaceuticalsAssignment#page1.tif source=LexPharmaceuticalsAssignment#page2.tif	

**ASSIGNMENT OF TRADEMARKS AND TRADEMARK REGISTRATIONS**

**WHEREAS, Lex Pharmaceuticals, Inc.**, a Delaware corporation with offices at 20425 Seneca Meadows Parkway, Germantown, Maryland 20876 ("Assignors"), warrants that it owns without encumbrance, the marks and federal registrations listed on the schedule attached as Exhibit A to this Agreement;

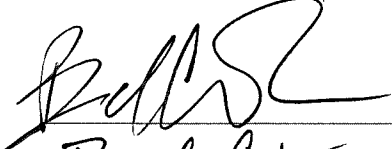
**WHEREAS, MiddleBrook Pharmaceuticals, Inc.**, a Delaware corporation, with offices at 20425 Seneca Meadows Parkway, Germantown, Maryland 20876 ("Assignee"), desires to acquire said marks, registrations, and rights therein;

**WHEREAS**, Assignor and Assignee are merging pursuant to that certain Merger Agreement, dated October 20, 2009;

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns unto Assignee, any and all right, title and interest in the marks listed on the schedule attached as Exhibit A to this Agreement, together with the goodwill of the business symbolized by said marks, and the registrations therefor, effective as of November 1, 2009 at 12:01 a.m. Eastern time; and

**FURTHER**, Assignor agrees that it will, without demanding any further consideration therefor, at the request, but at the cost of Assignee, perform all lawful and just acts that may be necessary for carrying out this assignment in full, including the execution and acknowledgement of instruments that may be or may become necessary for sustaining, reissuing or disclaiming the trademark registration.

LEX PHARMACEUTICALS, INC.

By: 

Name: Brad Cole

Title: Secretary

Date: 11/3/09

MIDDLEBROOK PHARMACEUTICALS, INC.

By: 

Name: Beth A. Burnside

Title: SVP, Reg Affrs, Compl., Strategic Plan

Date: 11/3/09

EXHIBIT "A"

Registered Marks

No.	MARK	Symbol	Class
1.	Keflex 333 MG	TM	5
2.	Keflex 750 MG	®	5
3.	Keflex 500 MG	®	5
4.	Keflex 250 MG	®	5
5.	Keflex	®	5

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