

**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> |
| ATON PHARMA INC.                       |  | 10/23/2009                                   | CORPORATION:       |
| <b>RECEIVING PARTY DATA</b>            |  |  |                    |
| <b>Name:</b>                           | MERCK & CO., INC.  |  |                    |
| <b>Street Address:</b>                 | One Merck Drive  |  |                    |
| <b>City:</b>                           | Whitehouse Station   |  |                    |
| <b>State/Country:</b>                  | NEW JERSEY   |  |                    |
| <b>Postal Code:</b>                    | 08889  |  |                    |
| <b>Entity Type:</b>                    | CORPORATION:   |  |                    |
| <b>PROPERTY NUMBERS Total: 1</b>       |  |  |                    |
| <b>Property Type</b>                   | <b>Number</b>  | <b>Word Mark</b>                             |                    |
| Registration Number:                   | 0817467  | OCUMETER                                     |                    |
| <b>CORRESPONDENCE DATA</b>             |  |  |                    |
| <b>Fax Number:</b>                     | (908)423-1372  |  |                    |
|  | <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> |  |                    |
| <b>Phone:</b>                          | 908-423-4862   |  |                    |
| <b>Email:</b>                          | thomas_mansfield@merck.com   |  |                    |
| <b>Correspondent Name:</b>             | Thomas Mansfield   |  |                    |
| <b>Address Line 1:</b>                 | One Merck Drive  |  |                    |
| <b>Address Line 4:</b>                 | Whitehouse Station, NEW JERSEY 08889   |  |                    |
| <b>NAME OF SUBMITTER:</b>              | Thomas Mansfield   |  |                    |
| <b>Signature:</b>                      | /thomas mansfield/   |  |                    |
| <b>Date:</b>                           | 11/19/2009   |  |                    |
| <b>Total Attachments: 1</b>            |  |  |                    |
| source=TM OCUMETER Document#page 1.tif |  |  |                    |

CH \$40.00 0817467

Trademark Assignment


WHEREAS, ATON PHARMA INC., a Delaware corporation, with its principal place of business at 3150 Brunswick Pike, Suite 230, Lawrenceville, New Jersey 08648 ("Assignor"), has adopted, owns and is using the marks OCUMETER and OCUMETER PLUS ("the Marks") in connection with the following goods and or services: Eye Drop Dispenser, Furnishing Drops of Uniform Size for Ophthalmic Medications; and

WHEREAS, Assignor owns a federal registration for the OCUMETER Mark on the Principal Register of the United States Patent and Trademark Office in connection with the goods and or services identified therein (Registration No. 817467 registered on 10/25/1966) and

WHEREAS, MERCK & CO., INC., a Corporation organized and existing under the laws of New Jersey, with its principal place of business at One Merck Drive, Whitehouse, NJ 08889 ("Assignee"), desires to acquire the Marks and the above-referenced Registration;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee all right, title and interest in and to the Marks, together with the goodwill of the business symbolized by the Marks, and the registration thereof.

ATON PHARMA, INC.

By:   
Name: Michael G. Wells  
Title: CEO and President

Dated effective as of: 10-23-09

SUBSCRIBED and SWORN to before  
me this 22nd of October,  
2009

Notary Public Emilia Roman-Gines  
My Commission Expires: 7-28-2011

