

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM856986

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Timber Pharmaceuticals, Inc.		11/22/2023	Corporation: DELAWARE
Timber Pharmaceuticals LLC		11/22/2023	Limited Liability Company: DELAWARE
RECEIVING PARTY DATA			
Name:	LEO US Holding, Inc.		
Street Address:	Industriparken 55		
Internal Address:	c/o LEO Pharma A/S		
City:	Ballerup, DK-2750		
State/Country:	DENMARK		
Entity Type:	Limited Liability Company: DELAWARE		
PROPERTY NUMBERS Total: 4			
Property Type	Number	Word Mark	
Serial Number:	90796560	IPEG	
Serial Number:	98021491	EXCALSA	
Serial Number:	98026651	MYSELTA	
Serial Number:	98026656	AHDESSYA	
CORRESPONDENCE DATA			
Fax Number:			
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Email:	akwon@cov.com		
Correspondent Name:	COVINGTON & BURLING LLP		
Address Line 1:	ONE CITY CENTER, 850 TENTH ST NW		
Address Line 2:	ATTN: PATENT DOCKET		
Address Line 4:	WASHINGTON, D.C. 20001		
ATTORNEY DOCKET NUMBER:	033864.00023		
NAME OF SUBMITTER:	Ashley M. Kwon		
SIGNATURE:	/Ashley M. Kwon/		
DATE SIGNED:	11/29/2023		

CH \$115.00 90796560

Total Attachments: 19

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TRADEMARK AND PATENT SECURITY AGREEMENT

This **Trademark and Patent Security Agreement** (this “**Trademark and Patent Security Agreement**”) is made as of November 22, 2023, by Timber Pharmaceuticals, Inc. (“**Timber Inc.**”) and Timber Pharmaceuticals LLC (“**Timber LLC**” and, together with Timber Inc., the “**Grantors**” and each, a “**Grantor**”), in favor of LEO US Holding, Inc., a Delaware limited liability company, in its capacity as Lender (together with its successors and assigns in such capacity, the “**Grantee**”).

WHEREAS, each Grantor (a) has adopted, used and is using, and holds all right, title and interest in and to, the trademarks and service marks listed on the attached Schedule A, which trademarks and service marks are registered or applied for in the United States Patent and Trademark Office (the “**Trademarks**”), and (b) holds all right, title and interest in the letter patents, design patents and utility patents listed on the attached Schedule A, which patents are issued or applied for in the United States Patent and Trademark Office (the “**Patents**”);

WHEREAS, each Grantor and the other Borrowers party thereto have entered into a Senior Secured Superpriority Priming Debtor-In-Possession Credit Agreement, dated November 22, 2023 (as amended, restated, supplemented, modified or otherwise changed from time to time, the “**Credit Agreement**”; terms defined in the Credit Agreement which appear herein without definition shall have the meanings given to them in the Credit Agreement), and the Grantee has agreed to make extensions of credit to Borrowers upon the terms and subject to the conditions set forth therein;

WHEREAS, each Grantor has agreed, pursuant to a Security Agreement of even date herewith in favor of the Grantee (the “**Security Agreement**”), to guarantee the Secured Obligations (as defined in the Security Agreement) of the Borrowers and execute and deliver this Trademark and Patent Security Agreement; and

WHEREAS, pursuant to the Security Agreement, each Grantor has granted to the Grantee a continuing security interest in all right, title and interest of such Grantor in, to and under the (a) Trademarks, together with, among other things, the good-will of the business symbolized by the Trademarks and (b) Patents, and, in each case, the applications and registrations thereof, and all proceeds thereof, including, without limitation, any and all causes of action which may exist by reason of infringement thereof and any and all damages arising from past, present and future violations thereof (the “**Collateral**”), to secure the payment, performance and observance of the Secured Obligations (as defined in the Security Agreement).

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each Grantor does hereby pledge, convey, sell, assign, transfer and set over unto the Grantee and grants to the Grantee for the benefit of the Grantee a continuing security interest in the Collateral to secure the prompt payment, performance and observance of the Secured Obligations.

Each Grantor does hereby further acknowledge and affirm that the rights and remedies of the Grantee with respect to the Collateral are more fully set forth in the Credit Agreement, the terms and provisions of which are hereby incorporated herein by reference as if fully set forth herein.

[Signature page follows.]

IN WITNESS WHEREOF, each Grantor has caused this Assignment to be duly executed by its officer thereunto duly authorized as of November 22, 2023.

TIMBER PHARMACEUTICALS, INC.

By: DocuSigned by:
John Koconis
A91F13B67AA1402...
Name: John Koconis
Title: Chief Executive Officer

TIMBER PHARMACEUTICALS, LLC

By: DocuSigned by:
John Koconis
A91F13B67AA1402...
Name: John Koconis
Title: Chief Executive Officer

BIOPHARMX, INC.

By: DocuSigned by:
John Koconis
A91F13B67AA1402...
Name: John Koconis
Title: Chief Executive Officer

Acknowledged and Agreed:

LEO US HOLDING, INC.

By: 
Name: Philip Eickhoff
Title: Non-executive Director

*Electronically signed by: Philip
Eickhoff
Reason: Accepted & Agreed
Date: Nov 21, 2023 21:47
GMT+1*

SCHEDULE A TO TRADEMARK AND PATENT SECURITY AGREEMENT

TMB-001 Intellectual Property Rights

I. TMB-001 Patents

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
28276-18	US	U.S. Provisional Application No. 62/248,760	Isotretinoin formulations and uses and methods thereof	October 30, 2015	Timber Pharmaceuticals LLC	N/A	Expired (October 30, 2016)
100300A							
28276-19	US	U.S. Provisional Application No. 62/301,759	Isotretinoin formulations and uses and methods thereof	March 1, 2016	Timber Pharmaceuticals LLC	N/A	Expired (March 1, 2017)
-							
100300B							
28276-20	PCT	PCT International Application No. PCT/US2016/058746	Isotretinoin formulations and uses and methods thereof	October 26, 2016	Timber Pharmaceuticals LLC	N/A	Expired (April 30, 2018)
-100310							
28276-21	Russian Federation	Russian Federation Patent	Isotretinoin formulations and uses and methods thereof	October 26, 2016	Timber Pharmaceuticals LLC	N/A	Abandoned
-100382							

TRADEMARK

REEL: 008272 FRAME: 0502

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
		Application No. 2018119510		National Stage Entry: May 28, 2018			
28276-22 -100322	Mexico	Mexican Patent Application No. MX/a/2018/004 984	Isotretinoin formulations and uses and methods thereof	October 26, 2016 National Stage Entry Date: April 19, 2018	Timber Pharmaceuticals LLC	390018 February 11, 2022	Granted
28276-23 -100360	South Korea	South Korean Patent Application No. 2018-7014948	Isotretinoin formulations and uses and methods thereof	October 26, 2016 National Stage Entry Date: May 28, 2018	Timber Pharmaceuticals LLC	10-2406880 June 3, 2022	Granted

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
28276-24	Japan	Japanese Patent Application No. 2018-542677	Isotretinoin formulations and uses and methods thereof	October 26, 2016 National Stage Entry Date: April 27, 2018	Timber Pharmaceuticals LLC	6901670 July 14, 2021	Granted
-100358							
28276-25	Europe	European Patent Application No. 16860643.2	Isotretinoin formulations and uses and methods thereof	October 26, 2016 Regional Stage Entry Date: April 19, 2018	Timber Pharmaceuticals LLC	N/A	Pending Awaiting Decision to Grant
-100330							

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
28276-26 -100350	China	Chinese Patent Application No. 201680063866.4	Isotretinoin formulations and uses and methods thereof	October 26, 2016 National Stage Entry Date: May 2, 2018	Timber Pharmaceuticals LLC	ZL201680063866.4 (September 17, 2021)	Granted
28276-27 -100320	Canada	Canadian Patent Application No. 3,002,387	Isotretinoin formulations and uses and methods thereof	October 26, 2016 National Stage Entry Date: October 26, 2016	Timber Pharmaceuticals LLC	N/A	Pending – Withdrawn from allowance to refile new claim set with broader composition and method claims
28276-28 -100372	Brazil	Brazilian Patent Application No.	Isotretinoin formulations and uses and methods thereof	October 26, 2016	Timber Pharmaceuticals LLC	N/A	Abandoned

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
		BR 11 2018 008556-1		National Stage Entry Date: April 27, 2018			
28276-29 -100390	Australia	Australian Patent Application No. 2016346203	Isotretinoin formulations and uses and methods thereof	October 26, 2016 National Stage Entry Date: May 3, 2018	Timber Pharmaceuticals LLC	2016346203 (September 9, 2021)	Granted
28276-30 -100301	United States	U.S. Non- Provisional Application No. 15/772,456	Isotretinoin formulations and uses and methods thereof	October 26, 2016 371(c) Filing Date: April 30, 2018	Timber Pharmaceuticals LLC	10,933,018 (March 2, 2021)	Issued

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
28276-31	United States	U.S. Non-Provisional Application No. 16/875,710	Isotretinoin formulations and uses and methods thereof	May 15, 2020	Timber Pharmaceuticals LLC	11,471,408 (October 18, 2022)	Issued
-100302	DIV						
28276-45	United States	U.S. Non-Provisional Application No. 17/864,208	Isotretinoin formulations and uses and methods thereof	July 13, 2022	Timber Pharmaceuticals LLC	N/A	Pending
-100303	DIV2						
28276-32	Japan	Japanese Patent Application No. 2021-084613	Isotretinoin formulations and uses and methods thereof	May 19, 2021	Timber Pharmaceuticals LLC	7175038 (November 10, 2022)	Granted
-100359	DIV						

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
28276-33	China	Chinese Patent Application No. 202110920456.X	Isotretinoin formulations and uses and methods thereof	August 11, 2021	Timber Pharmaceuticals LLC	N/A	Pending
-100351	DIV						Registrar filed in Hong Kong 28276-43
28276-43	Hong Kong	42022047705.3	Isotretinoin formulations and uses and methods thereof	February 8, 2022	Timber Pharmaceuticals LLC	N/A	Pending
-100352	DIV						Step 1 of Registration Completed in Hong Kong off of CN DIV
28276-44	South Korea	2022-7018704	Isotretinoin formulations and uses and methods thereof	June 2, 2022	Timber Pharmaceuticals LLC	N/A	Pending
-100361	DIV						

Client Matter Number	Region/Country	Application No.	Title	Filing Date	Owner	Patent No. (Patent Date)	Current Status
28276-34	Australia	Australian Patent Application No. 2021206858	Isotretinoin formulations and uses and methods thereof	July 22, 2021	Timber Pharmaceuticals LLC	2021206858 (August 17, 2023)	Granted
-100391	DIV						
28276-35	Mexico	Mexican Patent Application No. MX/a/2022/001772	Isotretinoin formulations and uses and methods thereof	February 10, 2022	Timber Pharmaceuticals LLC	N/A	Pending
-100323	DIV						

TRADEMARK

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II. **TMB-001 IPEG Trademarks**

Client Matter Number	Region/Country	Application No.	Filing Date	Mark	Goods & Services	Applicant	Registration No.	Current Status
28276-36	United States	907/96,560	June 25, 2021	IPEG	IC 005 - Pharmaceutical and medicinal preparation for treatment of skin disorders; pharmaceutical and medicinal preparation for treatment of congenital ichthyosis; dermatological pharmaceutical products	Timber Pharmaceuticals, Inc.	N/A	Pending – approved for publication. To be published for opposition 09/05/2023
28276-37	European Union	018524526	July 26, 2021 (claims priority in and to Y9552-00001-US)	IPEG	Same as Y9552-00001-US.	Timber Pharmaceuticals, Inc.	018524526 (December 8, 2021)	Registered

TRADEMARK

REEL: 008272 FRAME: 0510

Client Matter Number	Region/Country	Application No.	Filing Date	Mark	Goods & Services	Applicant	Registration No.	Current Status
28276-38	Australia	2197397	July 26, 2021 (claims priority in and to Y9552-00001-US)	IPEG	Same as Y9552-00001-US.	Timber Pharmaceuticals, Inc.	2197397 (February 3, 2022)	Registered
28276-39	Canada	2123211	July 27, 2021 (claims priority in and to Y9552-00001-US)	IPEG	Same as Y9552-00001-US.	Timber Pharmaceuticals, Inc.	N/A	Pending
28276-40	Japan	2021-093633	July 28, 2021 (claims priority in and to Y9552-00001-US)	IPEG	Same as Y9552-00001-US.	Timber Pharmaceuticals, Inc.	6507365 (February 1, 2022)	Registered

Client Matter Number	Region/Country	Application No.	Filing Date	Mark	Goods & Services	Applicant	Registration No.	Current Status
28276-41	Mexico	2588414	July 27, 2021 (claims priority in and to Y9552-00001-US)	IPEG	Same as Y9552-00001-US.	Timber Pharmaceuticals, Inc.	2308657 (October 8, 2021)	Registered
28276-42	United Kingdom	UK00003673484	July 26, 2021 (claims priority in and to Y9552-00001-US)	IPEG	Same as Y9552-00001-US.	Timber Pharmaceuticals, Inc.	UK00003673484 (November 19, 2021)	Registered

TRADEMARK

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Client Matter Number	Region/Country	Application No.	Filing Date	Mark	Goods & Services	Applicant	Registration No.	Current Status
	United States	98/021491	05/31/2023	EXCALSA	Pharmaceutical preparations for the treatment and prevention of dermatological diseases and disorders; pharmaceutical preparations for treating skin disorders; pharmaceutical preparations for use in dermatology	Timber Pharmaceuticals, Inc.		Pending
	United States	98/026651	06/04/2023	MYSELLTA	Pharmaceutical preparations for the treatment of	Timber Pharmaceuticals, Inc.		Pending

Client Matter Number	Region/Country	Application No.	Filing Date	Mark	Goods & Services	Applicant	Registration No.	Current Status
					dermatological diseases and disorders			
	United States	98/026656	06/04/2023	AHDESSYA	Pharmaceutical preparations for the treatment of dermatological diseases and disorders	Timber Pharmaceuticals, Inc.		Pending

TMB-003 Intellectual Property Rights

I. TMB-003 Patents

Client Matter No.	Country	Patent Application No.	Title	Filing Date	Status
28276-1-US-PRO -100100	United States	62/639751	Compositions and Methods for Treating Cutaneous Fibrosis	03/07/2018	Converted
28276-1-PCT -100110	International	PCT/US2019/020545	Compositions and Methods for Treating Cutaneous Fibrosis	03/04/2019	National Stage
28276-1-US -100101	United States	16/978,185	Compositions and Methods for Treating Cutaneous Fibrosis	09/03/2020	Pending
28276-1-AU -100190	Australia	2019230005	Compositions and Methods for Treating Cutaneous Fibrosis	09/09/2020	Pending
28276-1-BR -100172	Brazil	BR1120200181382	Compositions and Methods for Treating Cutaneous Fibrosis	09/04/2020	Pending
28276-1-CA -100120	Canada	3092861	Compositions and Methods for Treating Cutaneous Fibrosis	09/01/2020	Pending

282761-CN -100150	China	201980030598X	Compositions and Methods for Treating Cutaneous Fibrosis	11/05/2020	Pending
28276-1-EP -100130	Europe	19763214.4	Compositions and Methods for Treating Cutaneous Fibrosis	10/01/2020	Pending
28276-1-IL -100180	Israel	277152	Compositions and Methods for Treating Cutaneous Fibrosis	09/06/2020	Pending
28276-1-JP -100158	Japan	2020-570401	Compositions and Methods for Treating Cutaneous Fibrosis	09/04/2020	Pending
28276-1-KR -100160	South Korea	10-2020-7028185	Compositions and Methods for Treating Cutaneous Fibrosis	09/29/2020	Pending
28276-2-US-PRO -100200	United States	62/639767	Compositions and Methods for Treating Pigmentation Disorders	03/07/2018	Converted
28276-2-PCT -100210	International	PCT/US2019/020557	Compositions and Methods for Treating Pigmentation Disorders	03/04/2019	National Stage
28276-2-US -100201	United States	16/978,183	Compositions and Methods for Treating Pigmentation Disorders	09/03/2020	Pending
28276-100400	United States	63/427,464	Compositions For Local Delivery Of Drug Actives	11/23/2022	Pending

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