

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)  
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### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Protein Therapeutics, Inc.

- Individual(s)
- General Partnership
- Corporation-State
- Other \_\_\_\_\_
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

Execution Date: 08/11/04

2. Name and address of receiving party(ies)

Name: PediaMed Pharmaceuticals, Inc.

Internal Address: Suite 490

Street Address: 7310 Turfway Road

City: Florence State: KY Zip: 41042

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)  
Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s) 76/329,548

B. Trademark Registration No.(s) \_\_\_\_\_

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Kurt A. Summe

Internal Address: Wood, Herron & Evans, LLP

2700 Carew Tower

Street Address: 441 Vine Street

City: Cincinnati State: OH Zip: 45202

6. Total number of applications and registrations involved: \_\_\_\_\_

1

7. Total fee (37 CFR 3.41).....\$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

23-3000

DO NOT USE THIS SPACE

9. Signature.

Kurt A. Summe  
Name of Person Signing

*Kurt A Summe*  
Signature

September 22, 2004  
Date

Total number of pages including cover sheet, attachments, and document: 7

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

CH \$40.00 233000 76329548

Execution Copy

**TRADEMARK ASSIGNMENT**

This Trademark Assignment (this "Assignment") is made by Protein Therapeutics, Inc., a Delaware corporation, with an office at 2761 Country Club Road, Suite 202, Tucson, Arizona 85716 ("Assignor"), in favor of PediaMed Pharmaceuticals, Inc., a Delaware corporation, with an office at 7310 Turfway Road, Suite 490, Florence, Kentucky 41042 ("Assignee").

Assignor desires to assign to Assignee all of Assignor's right, title and interest in and to the trademarks and/or service marks (the "Marks") set forth in Annex 1 attached to this Assignment, together with the goodwill of the business connected with the use of and symbolized by the Marks.

Now, therefore, for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign, transfer, grant, sell, and otherwise convey to Assignee, its successors, assigns, and legal representatives all of Assignor's right, title, and interest in and to the Marks, including all common law rights therein, free and clear of all liens and encumbrances (except as otherwise set forth in the Agreement, as defined below), and applications to register therefor, together with the goodwill of the business symbolized by the Marks, for the use and on behalf of its successors, assigns, and other legal representatives.

This Assignment is being delivered in connection with the Asset Purchase Agreement between Assignor and Assignee dated on or about August 11, 2004 which is incorporated herein by this reference (the "Agreement"), and is subject to, and is entitled to the benefits in respect of, the Agreement. Nothing contained herein shall be deemed or construed to impair or alter any of the provisions of the Agreement. Any capitalized term used but not defined herein shall have the meaning given in the Agreement.

Except for the representations and warranties of Assignor expressly set forth in this Assignment or in the Agreement, neither Assignor nor its Affiliates nor any other Person makes any other express or implied representation or warranty on behalf of Assignor, or otherwise, with respect to the Marks.

IN WITNESS WHEREOF, Assignor has caused its duly authorized representative to execute this Assignment effective as of the 11th day of August, 2004.

PROTEIN THERAPEUTICS, INC.

By: Print Name: Lon E BarstowTitle: President

Execution Copy

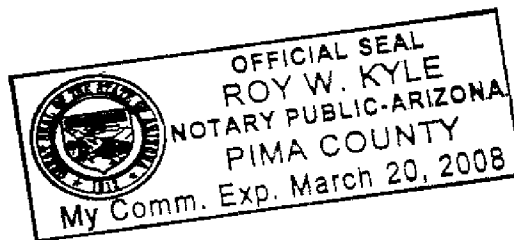
STATE OF Arizona )  
 ) ss  
COUNTY OF Pima )

I certify that I know or have satisfactory evidence that Leon E. Barstow is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President, of PROTEIN THERAPEUTICS, INC., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

[Signature]  
(Signature)

Roy W. Kyle  
(Print Name)

Notary Public in and for the State of Arizona  
residing at 5650 N. Greenway - Tucson AZ  
My commission expires \_\_\_\_\_



Execution Copy

**Annex 1**  
**to Assignment of Trademarks**  
**Trademark Registrations**  
**and Applications Therefor**

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<b>Country</b>	<b>Mark</b>	<b>Reg. No.</b>	<b>Reg. Date</b>
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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2004-08-10 15:28:53 ET**

**Serial Number:** 76329548

**Registration Number:** (NOT AVAILABLE)

**Mark (words only):** ORALGAM

**Standard Character claim:** No

**Current Status:** A request for the third extension of time to file a statement of use has been granted.

**Date of Status:** 2004-06-15

**Filing Date:** 2001-10-24

**The Notice of Allowance Date is:** 2002-12-17

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 105

**Attorney Assigned:**  
BUSH KAREN K Employee Location

**Current Location:** 701 -Intent To Use Unit

**Date In Location:** 2004-06-15

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. Protein Therapeutics, Inc.

**Address:**

Protein Therapeutics, Inc.  
9040 South Rita Road Suite 1100  
Tucson, AZ 857479159  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**TRADEMARK**

**International Class:** 005

Pharmaceutical preparations for use in the treatment of immune-mediated and/or autoimmune diseases, such as juvenile rheumatoid arthritis, adult rheumatoid arthritis, Crohn's Disease, ulcerative colitis, and autism

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**Basis:** 1(b)

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2004-06-15 - Extension 3 granted

2004-06-04 - Extension 3 filed

2004-06-09 - Case File in TICRS

2004-06-04 - TEAS Extension Received

2003-12-17 - Extension 2 granted

2003-12-17 - Extension 2 filed

2003-12-17 - TEAS Extension Received

2003-06-28 - Extension 1 granted

2003-06-13 - Extension 1 filed

2003-06-13 - TEAS Extension Received

2002-12-17 - Notice of allowance - mailed

2002-09-24 - Published for opposition

2002-09-04 - Notice of publication

2002-07-02 - Approved for Pub - Principal Register (Initial exam)

2002-01-17 - Letter of suspension mailed

**TRADEMARK**