

06-05-1998

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



To the Honorable Commissioner of Patents,

100728617

Send original documents or copy thereof.

1. Name of conveying party(ies):

DuPont Merck Pharmaceutical Company

Additional name(s) of conveying party(ies) attached?

[ ] Yes [X] No

3. Nature of conveyance:

[X] Assignment [ ] Merger

[ ] Security Agreement [ ] Change of Name

[ ] Other

Execution Date:

\* 2. Name and Address of receiving party(ies)

Name: Endo Pharmaceuticals, Inc.

Internal Address:

Street Address: 223 Wilmington West Chester Pike

City: Chadds Ford State: PA ZIP: 19317

Additional name(s) & address(es) attached?  
[ ] Yes [X] No

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

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

08/801.221

08/885.068

B. Patent No.(s)

Additional numbers attached? [ ] Yes [X] No

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

Name: Michael B. Fein, Esquire

Internal Address: Schnader, Harrison, Segal & Lewis LLP

Street Address: Suite 3600, 1600 Market Street

City: Philadelphia State: PA ZIP: 19103

\* 6. Total number of applications and patents involved: [2]

\* 7. Total Fee (37 CFR 3.41).....\$40.00

[X] Enclosed

[ ] Authorized to be charged to deposit account

\* 8. Deposit account number:

04-1655

(attach duplicate copy of this page if paying by deposit account)

06/04/1998 00000107 088012P1

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct any attached copy is a true copy of the original document.

Michael B. Fein

Name of Person Signing

Michael B. Fein  
Signature

5/21/98  
Date

Total number of pages including cover sheet, attachments, and document: 6

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

PATENT

REEL: 9206 FRAME: 0879

## ASSIGNMENT OF U.S. PATENTS

WHEREAS, The DuPont Merck Pharmaceutical Company, a Delaware general partnership having its principal place of business at 974 Centre Road, Wilmington, Delaware 19807-2802 ("DuPont Merck") is the owner of rights in two U.S. patent applications which are identified in Schedule A attached hereto, which Schedule A is incorporated herein and made a part hereof, and the inventions described and claimed therein.

WHEREAS, pursuant to an Asset Purchase Agreement dated as of June 27, 1997, among, inter alia, DuPont Merck and Endo Pharmaceuticals Inc., a Delaware corporation having its principal place of business at 223 Wilmington West Chester Pike, Chadds Ford, Pennsylvania 19317 ("Endo"), DuPont Merck agreed to assign to Endo the U.S. patent applications listed in the attached Schedule A, effective as of the date hereof; and

WHEREAS, Endo desires to make of record its ownership of the aforementioned U.S. patent applications.

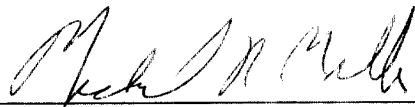
NOW, THEREFORE, in accordance with the terms of the aforementioned agreement, DuPont Merck hereby assigns to Endo for good and valuable consideration, receipt of which is hereby acknowledged, DuPont Merck's entire right, title and interest in the U.S. patent applications identified in the attached Schedule A, and the inventions disclosed therein, and all continuations, divisions, reissues and substitutes thereof, and in and to all income, royalties, damages, claims, and payments now or hereafter due or payable with respect thereto, and in and to all causes of action (either in law or in equity) relating thereto and the right to sue, counterclaim and recover for past, present and future infringement of the rights assigned hereunder.

DuPont Merck hereby agrees to execute any papers and to perform such other proper acts as Endo or its successors or assigns reasonably may deem necessary to secure to Endo or to its successors and assigns the rights hereby transferred.

IN WITNESS WHEREOF, DuPont Merck has duly executed this instrument this 26th day of August, 1997.

THE DUPONT MERCK PHARMACEUTICAL COMPANY

By: \_\_\_\_\_

  
Michael R. Miller  
Senior Vice President and  
Chief Financial Officer

## ACKNOWLEDGMENT

STATE OF New York :  
COUNTY OF New York : SS.

On the 26th day of August, 1997, before me personally appeared Michael R. Miller, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of DuPont Merck with authority to do so.

Megan M. Lewis  
Notary Public

MEGAN M. LEWIS  
Notary Public, State of New York  
No. 01LE5057473  
Qualified in New York County  
Commission Expires Oct. 7, 2016

## **SCHEDULE A**

<u>CASE NO.</u>	<u>U.S. FILING DATE</u>	<u>U. S. Serial No.</u>
DM-6811	02/19/1997	08/801,221
Title:	Process for Preventing Precipitation of Cimetidine	
Inventor:	J. M. Ault	
DM-6901	06/30/1997	not available
Title:	Composition and Manufacture of Paroxetine Oral Solid Dosage of Using Paroxetine Free Base	
Inventors:	M.G. Dedhiya, P. Krape	

## ASSIGNMENT

We/I, the undersigned

**PHILIP J. KRAPE, SOU-CHAN CHANG,  
WILLIAM A. HEIN II, AND CHRISTOPHER A. TELEHA**

Hereby declare that

We/I are the true and first inventor(s) of an invention relating to

### NOVEL PROCESS FOR MANUFACTURING PAROXETINE SOLID DISPERSIONS

which is disclosed in an application for Letters Patent in the United States of America, executed the 26<sup>th</sup> day of August, 1997 (Case No. DM-6901); and, for valuable consideration, the receipt and adequacy of which is hereby acknowledged and in fulfillment of our pre-existing obligation of assignment, we hereby sell, assign, and transfer unto The Du Pont Merck Pharmaceutical Company, a partnership organized and existing under the laws of the State of Delaware in the United States of America and having its principal place of business at Wilmington, Delaware, hereinafter referred to as the assignee, the entire right, title, and interest in and to the aforesaid application for Letters Patent, including any priority rights derived from the aforesaid application for Letters Patent by virtue of the International Convention for the Protection of Industrial Property for any and all member countries of the aforesaid International Convention, and the entire right, title and interest in and to any and all our inventions, whether joint or sole, disclosed in the aforesaid application for Letters Patent, and in and to any and all applications for Letters Patent for any such inventions in any country whatsoever, and in and to any and all patents for any such inventions in any country whatsoever, with the sole right to file such applications in its name or ours, including the sole right to file such applications under the aforesaid International Convention, together with the sole right to have said patents granted in its name or ours and to enforce said patents and to sue for and recover profits and damages for any and all infringements thereof, and hereby agree, whenever requested, to communicate to said assignee, its successors, assigns, and legal representatives, any facts known to us respecting said inventions, to testify in any legal proceeding, to execute all applications, papers or instruments necessary or required by said assignee, its successors, assigns and legal representatives to carry into effect any of the provisions of this instrument, and generally to do everything possible to aid said assignee, its successors, assigns, and legal representatives to obtain and enforce proper patent protection for said inventions in any and all countries. We hereby authorize our attorneys and Assignee and its attorneys, or any of them, to insert in this Assignment the Serial Number and filing date of the above-identified Case No. DM-6901 after the same shall have been made known to them by the United States Patent Office.

Signed and sealed this 25<sup>th</sup> day of August 1997. Philip J. Krape L.S.)  
**PHILIP J. KRAPE**

Signed and sealed this 25 day of August 1997. Sou-Chan Chang L.S.)  
**SOU-CHAN CHANG**

Signed and sealed this 25 day of August 1997. William A. Hein II L.S.)  
**WILLIAM A. HEIN II**

Signed and sealed this 26 day of August 1997. Christopher A. Teleha L.S.)  
**CHRISTOPHER A. TELEHA**

\*This application referred to above as Case No. **DM-6901**, was filed in the United States Patent Office on June 30, 1997, and was given Serial No. 08/885,068

This insertion made by me this 5<sup>th</sup> day of May 1998

Michael B. Fein  
← Scott K. Larsen Michael B. Fein  
Attorney ~~Agent~~ for Applicants  
Registration No. 68,532  
Telephone: 302-695-2584

PATENT

REEL: 9206 FRAME: 0883

## ASSIGNMENT

We/I, the undersigned

**JOSEPH MURRAY AULT, JR.**

Hereby declare that

We/I am the true and first inventor(s) of an invention relating to

### PROCESS FOR PREVENTING PRECIPITATION OF CIMETIDINE

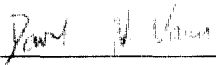
which is disclosed in an application for Letters Patent in the United States of America, executed the 6<sup>th</sup> day of June, 1996 (Case No. **DM-6811**); and, for valuable consideration, the receipt and adequacy of which is hereby acknowledged and in fulfillment of our pre-existing obligation of assignment, we hereby sell, assign, and transfer unto The Du Pont Merck Pharmaceutical Company, a partnership organized and existing under the laws of the State of Delaware in the United States of America and having its principal place of business at Wilmington, Delaware, hereinafter referred to as the assignee, the entire right, title, and interest in and to the aforesaid application for Letters Patent, including any priority rights derived from the aforesaid application for Letters Patent by virtue of the International Convention for the Protection of Industrial Property for any and all member countries of the aforesaid International Convention, and the entire right, title and interest in and to any and all our inventions, whether joint or sole, disclosed in the aforesaid application for Letters Patent, and in and to any and all applications for Letters Patent for any such inventions in any country whatsoever, and in and to any and all patents for any such inventions in any country whatsoever, with the sole right to file such applications in its name or ours, including the sole right to file such applications under the aforesaid International Convention, together with the sole right to have said patents granted in its name or ours and to enforce said patents and to sue for and recover profits and damages for any and all infringements thereof, and hereby agree, whenever requested, to communicate to said assignee, its successors, assigns, and legal representatives, any facts known to us respecting said inventions, to testify in any legal proceeding, to execute all applications, papers or instruments necessary or required by said assignee, its successors, assigns and legal representatives to carry into effect any of the provisions of this instrument, and generally to do everything possible to aid said assignee, its successors, assigns, and legal representatives to obtain and enforce proper patent protection for said inventions in any and all countries. We hereby authorize our attorneys and Assignee and its attorneys, or any of them, to insert in this Assignment the Serial Number and filing date of the above-identified **Case No. DM-6811** after the same shall have been made known to them by the United States Patent Office.

Signed and sealed this 6<sup>th</sup> day of June, 1996.

  
JOSEPH MURRAY AULT, JR. (L.S.)

\*This application referred to above as Case No. **DM-6811**, was filed in the United States Patent Office on February 19, 1997, and was given Serial No. 08/801,221.

This insertion made by me this 8<sup>th</sup> day of July, 1997.

  
David H. Vance, Ph.D.  
Registration No.: 38,644  
Agent for Applicant(s)

PATENT

RECORDED: 05/26/1998

REEL: 9206 FRAME: 0884