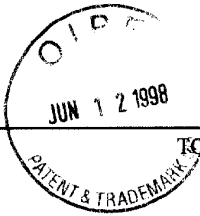


MRD 6-12-98

07-27-1998



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Attorney Docket Number

4821-301

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Box Assignment
Washington, DC 20231

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Paul D. RUBIN		2. Name and address of receiving party(ies): Name: Sepracor Inc.	
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Address: 111 Locke Drive	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____		Marlborough, MA 01752	
Execution Date: June 1, 1998		Country (if other than USA): _____	
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) 09/059,570		B. Patent No.(s)	
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: PENNIE & EDMONDS LLP 1667 K Street, N.W. Washington, D.C. 20006		6. Number of applications and patents involved: 1	
		7. Total fee (37 CFR 3.41):.....\$ 40.00 Please charge to the deposit account listed in Section 8.	
		8. Deposit account number: <u>16-1150</u>	
DO NOT USE THIS SPACE			
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>			
Stanton T. Lawrence, III 25,736 Name of Person Signing Reg. No.		<i>Stanton Lawrence</i> Signature	June 12, 1998 Date
Total number of pages including cover sheet:			2

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

ASSIGNMENT

WHEREAS, I, Paul D. RUBIN, ASSIGNOR, citizen of the United States, residing at 37 Greystone Lane, Sudbury, MA 01776, am the inventor of the invention in METHODS AND COMPOSITIONS USING TERFENADINE METABOLITES IN COMBINATION WITH LEUKOTRIENE INHIBITORS for which I have executed an application for a Patent of the United States

- [X] which is executed concurrently herewith
[X] which is identified by Pennie & Edmonds LLP docket no. 4821-301
[X] which was filed on April 14, 1998, Application No. 09/059,570

and WHEREAS, Sepracor Inc., a Delaware corporation having a place of business at 111 Locke Drive, Marlborough, MA 01752, ASSIGNEE is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in exchange for good and valuable consideration to me, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 14 day of June, 1998.

[Handwritten signature of Paul D. Rubin] L.S.
Paul D. RUBIN

State of Massachusetts)
) SS.:
County of Middlesex)

On this 14 day of June, 1998, before me, a Notary Public in and for the State and County aforesaid, personally appeared Paul D. RUBIN to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

[Handwritten signature of Julie D. Parker]
Notary Public.

JULIE D. PARKER
Notary Public
My Commission Expires May 14, 2004