

02-02-1999

RECOF



100954413

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

1. Name of conveying party(ies):

Samuel Broder

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

1-28-99

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other **Assignment Nunc Pro Tunc**

Execution Date: **March 13, 1998**

2. Name and address of receiving party(ies):

Name: **Baker Norton Pharmaceuticals, Inc.**

Address: **4400 Biscayne Boulevard**

City **Miami** State **FL** ZIP **33137**

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

4(a). Patent Application No.(s): **09/042,344**

4(b). Patent No.(s):

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

Additional numbers attached? Yes No

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

Name: **Mary Anthony Merchant, Ph.D.**

Address: **JONES & ASKEW, LLP
37th Floor, 191 Peachtree Street, N.E.
Atlanta, Georgia 30303-1769**

6. Total number of applications and patents involved: **1**

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

DO NOT USE THIS SPACE

8. Statement and signature.

400

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 certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231, on the date given below.

Mary Anthony Merchant, Ph.D.
Name of Person Signing

Signature

January 21, 1999
Date

Attorney Docket No. **09290-0131** Total number of pages including cover sheet: **3**

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

02/01/1999 SBURNS 00000066 09042344

01 FC:581 40.00 DP

ASSIGNMENT NUNC PRO TUNC

WHEREAS, I, **Samuel Broder**, a citizen of the United States of America, together with **Tahir Ahmed**, have invented certain inventions and improvements disclosed in an application for Letters Patent entitled "**Method and Compositions for Treatment of Asthma**", filed in the United States Patent and Trademark Office on the 13th Day of March, 1998 and assigned Application Serial No. 09/042,344; and

WHEREAS, **BAKER NORTON PHARMACEUTICALS, INC.**, a corporation of the State of Florida having a principal place of business at 4400 Biscayne Boulevard, Miami, Florida 33137, is desirous of acquiring an interest in the same;

NOW, THEREFORE, for and in consideration of Five Dollars (\$5.00) and other good and valuable consideration, the receipt and sufficiency of which I hereby acknowledge, I, **Samuel Broder**, by these presents do sell, assign and transfer unto **BAKER NORTON PHARMACEUTICALS, INC.**, the full, exclusive and entire right, title, and interest in and to said application, in and to any divisions, continuations, and reissues thereof, and in and to all inventions and improvements disclosed and described in said application, preparatory to obtaining Letters Patent of the United States therefor; and I hereby request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from said application, or from a division, continuation, or reissue thereof, to **BAKER NORTON PHARMACEUTICALS, INC.**, as the assignee, for its interest and for the sole use and benefit of **BAKER NORTON PHARMACEUTICALS, INC.**, and its assigns and legal representatives;

For the same consideration, I, by these presents do sell, assign, and transfer to **BAKER NORTON PHARMACEUTICALS, INC.**, the full, exclusive, and entire right, title and interest in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any

applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issued in the name of **BAKER NORTON PHARMACEUTICALS, INC.**, or its designee insofar as permitted by applicable law.

AND, for the same consideration, I agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all assignments and rightful oaths, and generally do everything possible to aid **BAKER NORTON PHARMACEUTICALS, INC.**, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

This Assignment is expressly made NUNC PRO TUNC to have the same legal force and effect as if executed on March 13, 1998.

12/23/98
DATE



SAMUEL BRODER

J&A Docket: 09290-0131