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To the Honorable Commissioner of Patents and Trademarks: Please reco

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4.12.99

1. Name of conveying party(ies):

1. Gregory Cuny
2. James R. Hauske
3. Donald Heefner
4. Michael Z. Hoemann
5. Gnanasambandam Kumaravel
6. Anita Melikian-Badalian
7. Richard F. Rossi
8. Roger L. Xie

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

2. Name and address of receiving party(ies)

Name: Sepracor Inc.

Internal Address: \_\_\_\_\_

Street Address: 111 Locke Drive

City: Marlborough State: MA ZIP: 01752

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

3. Nature of conveyance

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

Execution Date: 

1. February 5, 1999
2. February 5, 1999
3. March 16, 1999
4. February 5, 1999
5. February 26, 1999
6. March 20, 1999
7. March 17, 1999
8. February 8, 1999

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

A. Patent Application No.(s)  
09/213,385

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Matthew P. Vincent, Ph.D.  
 Telephone: (617) 832-1000

Internal Address: Foley, Hoag & Eliot LLP

Street Address: One Post Office Square

City: Boston State: MA ZIP: 02109

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41).....\$40.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: 06-1448

Attach duplicate copy of this page if paying by deposit account

DO NOT USE THIS SPACE

9. Statement and signature: *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.*

Matthew P. Vincent, Ph.D. [Signature] 4/8/99  
 Name of Person Signing Signature Date

04/16/1999 JSHABAZZ 00000279 09213385

01 FC:581

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

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

PATENT  
REEL: 9887 FRAME: 0727

## ASSIGNMENT

We, Gregory D. Cuny of Hudson, MA, James R. Hauske of Hopkington, MA, Donald L. Heefner of Hudson, MA, Michael Z. Hoemann of Marlborough, MA, Gnanasambandam Kumaravel of North Andover, MA, Anita Melikian-Badalian of Watertown, MA, Richard F. Rossi of Norton, MA and Roger L. Xie of Westborough, MA, for valuable consideration received from Sepracor Inc., a corporation of the state of Massachusetts, having its principal place of business at 111 Locke Drive, Marlborough, MA 01752, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

### Sepracor Inc.

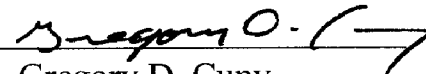
its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

#### *"Quinoline-Indole Antimicrobial Agents, Uses and Compositions Related Thereto"*

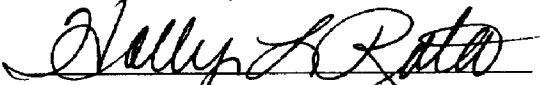
described in application Serial No. 09/213,385 filed on December 11, 1998 in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this 5<sup>th</sup> day of February, 1999.

By:   
Gregory D. Cuny

Then personally appeared the above-named Gregory D. Cuny and acknowledged the foregoing instrument to be his free act and deed, before me, this 5<sup>th</sup> day of February, 1999.

  
Witness signature  
HOLLY L. ROTA  
Witness Name (please print)

WITNESS my hand this 5 day of Feb, 1999.

By: *James R. Hauske*  
James R. Hauske

Then personally appeared the above-named James R. Hauske and acknowledged the foregoing instrument to be his free act and deed, before me, this 5<sup>th</sup> day of February, 1999.

*Holly L. Rota*  
Witness signature

HOLLY L. ROTA  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Donald L. Heefner

Then personally appeared the above-named Donald L. Heefner and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Michael Z. Hoemann

Then personally appeared the above-named Michael Z. Hoemann and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gnanasambandam Kumaravel

Then personally appeared the above-named Gnanasambandam Kumaravel and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Anita Melikian-Badalian

Then personally appeared the above-named Anita Melikian-Badalian and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Richard F. Rossi

Then personally appeared the above-named Richard F. Rossi and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Roger L. Xie

Then personally appeared the above-named Roger L. Xie and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

## ASSIGNMENT

We, Gregory D. Cuny of Hudson, MA, James R. Hauske of Hopkington, MA, Donald L. Heefner of Hudson, MA, Michael Z. Hoemann of Marlborough, MA, Gnanasambandam Kumaravel of North Andover, MA, Anita Melikian-Badalian of Watertown, MA, Richard F. Rossi of Norton, MA and Roger L. Xie of Westborough, MA, for valuable consideration received from Sepracor Inc., a corporation of the state of Massachusetts, having its principal place of business at 111 Locke Drive, Marlborough, MA 01752, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

### Sepracor Inc.

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

#### *"Quinoline-Indole Antimicrobial Agents, Uses and Compositions Related Thereto"*

described in application Serial No. 09/213,385 filed on December 11, 1998 in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this 16 day of March, 1999.

By: \_\_\_\_\_  
Gregory D. Cuny

Then personally appeared the above-named Gregory D. Cuny and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
James R. Hauske

Then personally appeared the above-named James R. Hauske and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this 16 day of March, 1999.

By: Donald L. Heefner  
Donald L. Heefner

Then personally appeared the above-named Donald L. Heefner and acknowledged the foregoing instrument to be his free act and deed, before me, this 16<sup>th</sup> day of March, 1999.

Richard F. Rossi Jr.  
Witness signature

RICHARD F ROSSI JR.  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Michael Z. Hoemann

Then personally appeared the above-named Michael Z. Hoemann and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gnanasambandam Kumaravel

Then personally appeared the above-named Gnanasambandam Kumaravel and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Anita Melikian-Badalian

Then personally appeared the above-named Anita Melikian-Badalian and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Richard F. Rossi

Then personally appeared the above-named Richard F. Rossi and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)



WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Roger L. Xie

Then personally appeared the above-named Roger L. Xie and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

## ASSIGNMENT

We, Gregory D. Cuny of Hudson, MA, James R. Hauske of Hopkington, MA, Donald L. Heefner of Hudson, MA, Michael Z. Hoemann of Marlborough, MA, Gnanasambandam Kumaravel of North Andover, MA, Anita Melikian-Badalian of Watertown, MA, Richard F. Rossi of Norton, MA and Roger L. Xie of Westborough, MA, for valuable consideration received from Sepracor Inc., a corporation of the state of Massachusetts, having its principal place of business at 111 Locke Drive, Marlborough, MA 01752, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

### **Sepracor Inc.**

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

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And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gregory D. Cuny

Then personally appeared the above-named Gregory D. Cuny and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
James R. Hauske

Then personally appeared the above-named James R. Hauske and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Donald L. Heefner

Then personally appeared the above-named Donald L. Heefner and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this 5th day of FEBRUARY, 1999.

By: Michael Z. Hoemann  
Michael Z. Hoemann

Then personally appeared the above-named Michael Z. Hoemann and acknowledged the foregoing instrument to be his free act and deed, before me, this 5th day of FEBRUARY, 1999.

Holly L. Rota  
Witness signature

HOLLY L. ROTA  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gnanasambandam Kumaravel

Then personally appeared the above-named Gnanasambandam Kumaravel and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Anita Melikian-Badalian

Then personally appeared the above-named Anita Melikian-Badalian and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Richard F. Rossi

Then personally appeared the above-named Richard F. Rossi and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Roger L. Xie

Then personally appeared the above-named Roger L. Xie and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

## ASSIGNMENT

We, Gregory D. Cuny of Hudson, MA, James R. Hauske of Hopkington, MA, Donald L. Heefner of Hudson, MA, Michael Z. Hoemann of Marlborough, MA, Gnanasambandam Kumaravel of North Andover, MA, Anita Melikian-Badalian of Watertown, MA, Richard F. Rossi of Norton, MA and Roger L. Xie of Westborough, MA, for valuable consideration received from Sepracor Inc., a corporation of the state of Massachusetts, having its principal place of business at 111 Locke Drive, Marlborough, MA 01752, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

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WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gregory D. Cuny

Then personally appeared the above-named Gregory D. Cuny and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
James R. Hauske

Then personally appeared the above-named James R. Hauske and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Donald L. Heefner

Then personally appeared the above-named Donald L. Heefner and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Michael Z. Hoemann

Then personally appeared the above-named Michael Z. Hoemann and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this 26<sup>th</sup> day of Feb, 1999.

By: Gnanasambandam Kumaravel  
Gnanasambandam Kumaravel

Then personally appeared the above-named Gnanasambandam Kumaravel and acknowledged the foregoing instrument to be his free act and deed, before me, this 26<sup>th</sup> day of Feb., 1999.

P. Umaj  
Witness signature

Praveen Tadikonda  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Anita Melikian-Badalian

Then personally appeared the above-named Anita Melikian-Badalian and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Richard F. Rossi

Then personally appeared the above-named Richard F. Rossi and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)



WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Roger L. Xie

Then personally appeared the above-named Roger L. Xie and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

**ASSIGNMENT**

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WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

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

Gregory D. Cuny

Then personally appeared the above-named Gregory D. Cuny and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_

Witness signature

\_\_\_\_\_

Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
James R. Hauske

Then personally appeared the above-named James R. Hauske and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Donald L. Heefner

Then personally appeared the above-named Donald L. Heefner and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Michael Z. Hoemann

Then personally appeared the above-named Michael Z. Hoemann and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gnanasambandam Kumaravel

Then personally appeared the above-named Gnanasambandam Kumaravel and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_ day of \_\_\_\_\_, 1999.

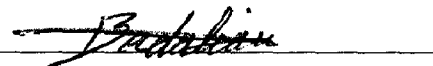
\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this 03 day of 20, 1999.

By:   
Anita Melikian-Badalian

Then personally appeared the above-named Anita Melikian-Badalian and acknowledged the foregoing instrument to be his free act and deed, before me, this 03 day of 20 - 99, 1999.

  
Witness signature

BADALIAN  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Richard F. Rossi

Then personally appeared the above-named Richard F. Rossi and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Roger L. Xie

Then personally appeared the above-named Roger L. Xie and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

## ASSIGNMENT

We, Gregory D. Cuny of Hudson, MA, James R. Hauske of Hopkington, MA, Donald L. Heefner of Hudson, MA, Michael Z. Hoemann of Marlborough, MA, Gnanasambandam Kumaravel of North Andover, MA, Anita Melikian-Badalian of Watertown, MA, Richard F. Rossi of Norton, MA and Roger L. Xie of Westborough, MA, for valuable consideration received from Sepracor Inc., a corporation of the state of Massachusetts, having its principal place of business at 111 Locke Drive, Marlborough, MA 01752, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

### Sepracor Inc.

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

#### *"Quinoline-Indole Antimicrobial Agents, Uses and Compositions Related Thereto"*

described in application Serial No. 09/213,385 filed on December 11, 1998 in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gregory D. Cuny

Then personally appeared the above-named Gregory D. Cuny and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
James R. Hauske

Then personally appeared the above-named James R. Hauske and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Donald L. Heefner

Then personally appeared the above-named Donald L. Heefner and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Michael Z. Hoemann

Then personally appeared the above-named Michael Z. Hoemann and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gnanasambandam Kumaravel

Then personally appeared the above-named Gnanasambandam Kumaravel and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Anita Melikian-Badalian

Then personally appeared the above-named Anita Melikian-Badalian and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this 17<sup>th</sup> day of March, 1999.

By: Richard F. Rossi  
Richard F. Rossi

Then personally appeared the above-named Richard F. Rossi and acknowledged the foregoing instrument to be his free act and deed, before me, this 17 day of MARCH, 1999.

Donald C. Heffner  
Witness signature

Donald C. HEFFNER  
Witness Name (please print)



WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Roger L. Xie

Then personally appeared the above-named Roger L. Xie and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

**ASSIGNMENT**

We, Gregory D. Cuny of Hudson, MA, James R. Hauske of Hopkington , MA, Donald L. Heefner of Hudson, MA, Michael Z. Hoemann of Marlborough, MA, Gnanasambandam Kumaravel of North Andover, MA, Anita Melikian-Badalian of Watertown, MA, Richard F. Rossi of Norton, MA and Roger L. Xie of Westborough, MA, for valuable consideration received from Sepracor Inc., a corporation of the state of Massachusetts, having its principal place of business at 111 Locke Drive, Marlborough, MA 01752, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

**Sepracor Inc.**

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

***"Quinoline-Indole Antimicrobial Agents, Uses and Compositions Related Thereto"***

described in application Serial No. 09/213,385 filed on December 11, 1998 in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gregory D. Cuny

Then personally appeared the above-named Gregory D. Cuny and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
James R. Hauske

Then personally appeared the above-named James R. Hauske and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Donald L. Heefner

Then personally appeared the above-named Donald L. Heefner and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Michael Z. Hoemann

Then personally appeared the above-named Michael Z. Hoemann and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Gnanasambandam Kumaravel

Then personally appeared the above-named Gnanasambandam Kumaravel and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

By: \_\_\_\_\_  
Anita Melikian-Badalian

Then personally appeared the above-named Anita Melikian-Badalian and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

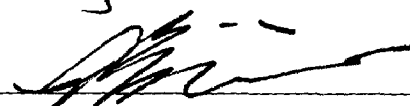
By: \_\_\_\_\_  
Richard F. Rossi

Then personally appeared the above-named Richard F. Rossi and acknowledged the foregoing instrument to be his free act and deed, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

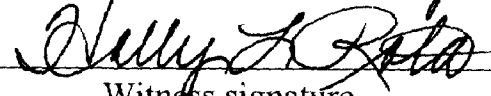
\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness Name (please print)

WITNESS my hand this 8<sup>th</sup> day of February, 1999.

By:   
Roger L. Xie

Then personally appeared the above-named Roger L. Xie and acknowledged the foregoing instrument to be his free act and deed, before me, this 8<sup>th</sup> day of February, 1999.

  
Witness signature

HOLLY L. ROTA  
Witness Name (please print)