

09-30-1999

Docket No.: 1161.95



101158130

CORDATION FORM COVER SHEET PATENTS ONLY

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

1. Name of conveying party(ies)

Pharmacia & Upjohn, Inc.

MRD

9-27-99

2. Name and address of receiving party(ies)

Name: Biopure Corporation

Internal Address:

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

3. Nature of conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Release of Security Interest in Patents

Execution Date: September 8, 1999

Street Address: 11 Hurley Street

City: Cambridge State: MA ZIP: 02141

Additional name(s) & address(es) attached? ☐ Yes ☒ 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)

08/209,949

08/333,623

08/477,916

B. Patent No.(s)

5,084,558

5,296,465

5,095,765

Additional numbers attached? ☒ Yes ☐ No

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

Name: David E. Brook, Esq.

Internal Address:

Hamilton, Brook, Smith & Reynolds, P.C.

Street Address: Two Militia Drive

City: Lexington State: MA ZIP: 02421-4799

6. Total number of applications and patents involved: [21]

7. Total Fee (37 C.F.R. 3.41)..... \$ 840.00

☒ Enclosed☒ Authorized to charge any deficiencies or credit any overpayment to deposit account☐ Authorized to be charged to deposit account

8. Deposit account number:

08-0380

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

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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.

David E. Brook

Name of Person Signing

David E. Brook

Signature

September 24, 1999

Date

09/29/1999 MTHAI1 00000172 08209949

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Total number of pages including cover sheet, attachments, and document: [5]

PATENT
REEL: 010263 FRAME: 0680

Continuation of Box 4

A. Patent Application Nos.

B. Patent Nos.

08/360,143
08/409,337
08/458,916
08/484,775
08/478,004
08/487,288
08/620,296
08/471,583
08/473,497
08/360,149
08/475,899
08/673,147
08/094,501
08/477,110

5,295,944

RELEASE OF SECURITY INTEREST IN PATENTS

This Patent Security Interest Release agreement is made as of September 8, 1999, by and between Biopure Corporation, a Delaware corporation, having an office at 11 Hurley Street, Cambridge, Massachusetts 02141 ("Biopure") and Pharmacia & Upjohn, Inc., a Delaware corporation, having an office at 7000 Portage Road, Kalamazoo, Michigan 49001 ("Pharmacia & Upjohn").

WHEREAS, the records of the U.S. Patent and Trademark Office ("PTO") reflect that Biopure and Pharmacia & Upjohn entered into a Security Agreement on October 8, 1996, under which Biopure granted to Pharmacia & Upjohn a security interest in certain of its assets, including the Patents and Patent applications and the inventions and discoveries therein, as listed on the attached Schedule A (the "Inventions");

WHEREAS, the PTO recorded this security agreement on October 11, 1996 against the Inventions at Reel 8186, Frame 0019;

WHEREAS, Biopure has satisfied all of its outstanding obligations under the security agreement, and the parties seek to make a record of Pharmacia & Upjohn's release and reassignment to Biopure of any and all of Pharmacia & Upjohn's security interest in the Inventions.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which the parties acknowledge, Pharmacia & Upjohn hereby (1) releases, discharges, and relinquishes, as of September 8, 1999, its security interest in the Inventions, and (2) reassigns to Biopure, as of September 8, 1999, all right, title, and interest that Pharmacia & Upjohn may have had in the Inventions, without recourse, representation or warranty of any kind whatsoever. Pharmacia & Upjohn specifically acknowledges that the security interest is no longer effective, and that Pharmacia & Upjohn does not own any rights to or have any ownership interest in the Inventions. Pharmacia & Upjohn further covenants and agrees that it will, without further consideration, communicate with Biopure, its successors and assigns, any facts known to Pharmacia & Upjohn respecting any of the Inventions and testify in any legal proceeding, sign all lawful papers when called upon to do so, and execute and deliver all papers that may be necessary or desirable to perfect the title to the Inventions in Biopure, its successors and assigns.

PHARMACIA & UPJOHN, INC.

County of MORRIS

State of NEW JERSEY

Name: Don W. Schmitz
Title: _____

Subscribed and sworn to before me
this 8th day of SEPT., 1999

Don W. Schmitz
Vice President, Associate General Counsel
and Corporate Secretary

Cecilia Rueda-Stephens
CECILIA RUEDA-STEPHENS
Notary Public, State of New Jersey
My Commission Expires Feb. 23, 2004

SCHEDULE A

U.S. Patents and U.S. Patent Applications

<u>Patent No.</u>	<u>Title</u>	<u>Issue Date</u>
5,084,558	Extra Pure Semi-Synthetic Blood Substitute	01/28/92
5,296,465	Extra Pure Semi-Synthetic Blood Substitute	03/22/94
5,095,765	Sample Valve for Sterile Processing	03/17/92
5,295,944	Improved Method for Treating a Tumor with Ionizing Radiation	03/22/94

<u>Patent Application No.</u>	<u>Title</u>	<u>Filing Date</u>
08/209,949	Ultra Pure Hemoglobin Solutions and Blood Substitutes	03/11/94
08/333,623	Enzymatic Production of 7-Amino Cephalosporanic Acid	11/02/94
08/477,916	Method for Separating Unmodified Hemoglobin from Cross-Linked Hemoglobin	06/07/95
08/360,143	Chlorination of Cephalexin with Chloroperoxidase from Rathayibacter	12/20/94
08/409,337	Method for Oxygenating Tissue Having Reduced Red Blood Cell Flow	03/23/95
08/458,916	Method for Producing Ultrapure Stable Polymerized Hemoglobin Blood-Substitute	06/02/95

<u>Patent Application No.</u>	<u>Title</u>	<u>Filing Date</u>
08/484,775	Method for Producing a Stable Polymerized Hemoglobin Blood-Substitute	06/07/95
08/478,004	Method for Producing a Stable Polymerized Hemoglobin Blood-Substitute	06/07/95
08/487,288	Stable Polymerized Hemoglobin and Use Thereof	06/07/95
08/620,296	Stable Polymerized Hemoglobin and Use Thereof	03/22/96
08/471,583	Method for Preserving a Hemoglobin Blood Substitute	06/07/95
08/473,497	Method for Separating Hemoglobin	06/07/95
08/360,149	Enzymatic Halogenation of Cephalexin to Produce Cefaclor and Other Halogenated Products	12/20/94
08/475,899	Separation of Polymerized from Unpolymerized Hemoglobin on Hydroxyapatite Using HPLC	06/07/95
08/673,147	A Method for Chromatographic Removal of Prions	07/01/96
08/094,501	Method for Treating a Tumor with a Chemotherapeutic Agent	07/20/93
08/477,110	Method for Treating a Tumor with a Chemotherapeutic Agent	06/07/95