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Name (line 1) ARYx Therapeutics, Inc.

Name (line 2) A Corporation of California

**Second Party**

Name (line 1)

Name (line 2)

Execution Date  
Month Day Year

**Receiving Party**

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Name (line 1) Schwarz Pharma AG

Name (line 2) A Corporation of Germany

Address (line 1) Alfred-Nobel-Strasse 10

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**Correspondent Name and Address**

Area Code and Telephone Number **650.813.9085**

Name **Laura J. Vitez**

Address (line 1) **Schwarz Pharma**

Address (line 2) **830 Menlo Avenue, Suite 201**

Address (line 3) **Menlo Park, CA 94025**

Address (line 4)

**Pages**

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# **4**

**Application Number(s) or Patent Number(s)**

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**Patent Application Number(s)**

**Patent Number(s)**

**09211246**

**5,364,880**

**EP 0703910**

**60159609**

**5,440,054**

**AU 697687**

**5,849,788**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT **US 94/06812**

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved.

# **8**

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ **320.<sup>00</sup>**

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**Glenn E. Davis**

Name of Person Signing

**Glenn E. Davis**

Signature

**02-18-2000**

Date

**EXCLUSIVE COLLABORATION AND LICENSE AGREEMENT**

**between**

**ARYx THERAPEUTICS, INC.**

**and**

**SCHWARZ PHARMA AG**

**Exhibit A**

**ARYx PATENTS RIGHTS**

# **ARYX' PATENT PORTFOLIO SUMMARY**

## **U.S. Patents and Patent Applications Affording Proprietary Rights to the ATI-2000 Series**

Patent No./ Serial No. & Filing Date	Issue Date & Expiration Date	Inventors/Assignee	Title	Subject & Claimed Invention
1  U.S. 5,7364,880 (USSN 078,371 filed June 16, 1993)	Nov. 15, 1994  Nov. 14, 2011	Pascal Druzgala / *Advanced Therapies, Inc.	Compounds for treatment of cardiac arrhythmia, synthesis, and methods of use.	11 claims. Alkyl 2-[3-benzoylbenzofurane] acetates related to amiodarone, all having 3,5-diiodo-4-diethylaminoethoxybenzoyl at the 3 position of the benzofuran. The alkyl group of the ester can be a straight or branched. The structures include ATI-2042 and the t-butyl analog. Claims to a pharmaceutical composition for treating cardiac arrhythmia containing the compounds. Claims to the method of treating cardiac arrhythmia using a composition containing the compounds.
2  U.S. 5,440,054 (USSN 260,869 filed June 16, 1994 as a CIP of 078,371)	Aug. 8, 1995  June 16, 2013	Pascal Druzgala / *Advanced Therapies, Inc.	Compounds for treatment of cardiac arrhythmia, synthesis, and methods of use.	7 claims. Methods of synthesizing ATI-2001 (the methyl ester containing compound) involving a first converting salicylaldehyde to benzofurane acetic acid.
3  U.S. 5,849,788 (USSN468,602 filed June 6, 1995 as a division of USSN 260,869)	Dec. 15, 1998  Nov. 14, 2011	Pascal Druzgala / ARYX Therapeutics.	Compounds for treatment of cardiac arrhythmia, synthesis, and methods of use.	16 claims. 2-[3-benzoylbenzofurane] acetates related to amiodarone, all having 3,5-diiodo-4-diethylaminoethoxybenzoyl at the 3 position of the benzofuran. A broader class of compounds are claimed than in the '880 patent but class includes ATI-2042 and the t-butyl analog. Claims to a pharmaceutical composition for treating cardiac arrhythmia containing the compounds. Claims to the method of treating cardiac arrhythmia using a composition containing the compounds.
4  U.S. Serial No. 09/211,246 filed Dec. 14, 1998	Pending	Pascal J. Druzgala.	Novel compound for Treatment of Cardiac Arrhythmia, synthesis and method of use.	Final office action received and response due Jan. 29, 2000. Claims have been or will be amended to include benzothiophene and indole structures but not benzofurans. Terminal disclaimer filed to disclaim the term of any patent granted on the application past the term of U.S. 5,440,054 and U.S. 5,849,788.

**PATENT**

**REEL: 010655 FRAME: 0602**

Patent No./ Serial No. & Filing Date	Issue Date & Expiration Date	Inventors/Assignee	Title	Subject & Claimed Invention
5 U.S. Serial No. 60/159,609 Filed Oct 15, 1999	Provisional will expire Oct 15, 2000	PJ Druzgala, PG Milner	Method for treating ventricular and supraventricular arrhythmias.	Description of stereo-specific synthesis methods for AT-2000 compounds containing a sec-butyl ester.

\*Advanced Therapies, Inc of Cody Wyoming, previously of Novato, CA and later of Half Moon Bay, CA; assigned the rights to these patents to ARYx. The change in assignment was recorded in the PTO on Feb. 27, 1998.

### Foreign Patents and Patent Applications Affording Proprietary Rights to the ATI-2000 Series

Patent No./ Serial No. & Filing Date	Issue Date & Expiration Date	Inventors/Assignee	Title	Subject & Claimed Invention
4 EP 0703910 filed June 16, 1994, Priority June 16, 1993 to USSN 078,371	Jan 7, 1998 June 16, 2013	Pascal Druzgala / ARYX Therapeutics.	Benzoylbenzofurane derivatives for treatment of cardiac arrhythmia	15 Claims. Compounds and methods of synthesis.  Granted in France (FR 0703910), Germany (DE 6907785.2), Great Britain (GB 073910), Italy (IT 073910), and the Netherlands (NL 073910).  Based on PCT/US94/06812 Published as WO 94/29289 on Dec 22, 1994. Canada, EPO, Australia, and Japan designated.
5 AU 697687 June 16, 1994	Jan 28, 1999	Pascal Druzgala / ARYX Therapeutics.	Benzoylbenzofurane derivatives for treatment of cardiac arrhythmia	Based on PCT/US94/06812 Published as WO 94/29289 on Dec 22, 1994.
6 PCT/US94/06812 Filed Jun 16, 1994	Published as WO 94/29289 on Dec 22, 1994.	Pascal Druzgala / ARYX Therapeutics.	Benzoylbenzofurane derivatives for treatment of cardiac arrhythmia	Canada, EPO, Australia, and Japan designated.  Status: European Patent granted (see above) Australian Patent granted (see above) Canadian Application: Request Exam by Jun 16, 2001 Japanese Application: Request Exam by Jun 16, 2001

\*Advanced Therapies, Inc of Novato, CA formerly of Half Moon Bay, CA; assigned the rights to European Patent Application 94920234.5 to ARYx on July 7, 1997. The assignment was registered in the European Patent Office on Feb. 27, 1998.