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Atty Ref/Docket No.: 101.022US1

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

1. Name of conveying party(ies):

Orphan Medical, Inc.,  
a Minnesota Corporation

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

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

Name: Orphan Medical, Inc.,  
a Delaware Corporation

Street Address: 13911 Ridgedale Drive  
Suite 250

City: Minnetonka State: MN ZIP: 55305

3. Nature of conveyance:

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

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

Execution Date: August 24, 2000

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)

B. Patent No.(s)

Serial No. 09/470,570, filed December 22, 1999

Additional numbers attached? [ ]Yes [X]No

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

Name: Patti J. Jurkovich

Address: Schwegman, Lundberg, Woessner & Kluth, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402

6. Total number of applications and patents involved: 1

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

- Enclosed
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8. Please charge any additional fees or credit any overpayments to our  
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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.

Patti J. Jurkovich/Reg. No. 44,813  
Name of Person Signing

*P. Jurkovich*  
Signature

Aug. 25, 2000  
Date

Total number of pages including cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

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**ASSIGNMENT**

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

THIS ASSIGNMENT is made in respect of U.S. Patent Application No. 09/470570, filed December 22, 1999, and the Foreign Counterpart Patent Application, PCT Application No. 99/30740.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, ORPHAN MEDICAL, INC. ("ASSIGNOR"), a Minnesota corporation whose principal place of business and address for notice are at 13911 Ridgedale Drive, Suite 250, Minnetonka, Minnesota 55305, United States of America, attention: Chief Executive Office, does hereby:

SELL, ASSIGN AND TRANSFER TO ORPHAN MEDICAL, INC. ("ASSIGNEE"), a Delaware corporation and a wholly owned subsidiary of ASSIGNOR, whose principal place of business and address for notice are at 13911 Ridgedale Dr., Suite 250, Minnetonka, Minnesota 55305, United States of America, the entire right, title and interest for the United States and all foreign countries in and to the following in respect of U.S. Patent Application No. 09/470570, and the Foreign Counterpart Patent Application (PCT Application No. 99/30740):

1. any and all improvements which are disclosed in the above-referenced U.S. Patent Application, or in the above-referenced Foreign Counterpart Patent Application, but only to the extent of such disclosure;
2. the U.S. Patent Application (Serial No. 09/470570), and the Foreign Counterpart Patent Application (PCT 99/30740), any U.S. Patent or Foreign Patent that may issue from the above-referenced Applications, and all divisional, continuing, continuation-in-part, substitute, renewal, reissue and all other applications for patent which have been or may be subsequently filed, in the United States and/or in any and all other countries, on any of such improvements;
3. any right to sue for present or past infringement of the above-referenced U.S. Patent Application, or of the above-referenced Foreign Counterpart Patent Application;

4. and specifically including any right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the ASSIGNEE;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting or encumbering the ownership of the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to and in favor of the successors, assigns and nominees of the ASSIGNEE.

ORPHAN MEDICAL, INC

By:

*[Handwritten Signature]*  
John H. Bullion  
Chief Executive Officer and Director

Date

*8/24/00*

**ACKNOWLEDGMENT**

On this 24<sup>th</sup> day of August, 2000 before me personally appeared John H. Bullion, known to me or identified upon sufficient evidence to be Chief Executive Officer and Director of ORPHAN MEDICAL, INC., a Minnesota corporation, who acknowledged that he had read and executed the foregoing instrument in that capacity for the purposes and consideration therein stated.

(SEAL)

*Linda J. Wallner*

Notary Signature

LINDA J. WALLNER

Printed Name and Title



My Commission Expires January 31, 2005

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

P.O. Box 2938

Minneapolis, MN 55402

Telephone (612) 373-6900

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August 25, 2000

Time: 2:50 pm  
(Minneapolis, Minn.)

TO: Commissioner for Patents  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Patti L. Jurkovich  
OUR REF: 101.022US1

TELEPHONE: (612) 349-9580

FAX NUMBER 703-306-5995

Document(s) Transmitted: Assignment Recordation Coversheet (1 pg); Assignment of Application Serial No. 09/470,570 to Orphan Medical, Inc. (2 pgs)

Total pages of this transmission, including cover letter: 4 pgs

If you do NOT receive all of the pages described above, please telephone us at 612-373-6900, or fax us at 612-339-3061.

In re. Patent Application of: Harry Cook et al.

Examiner: Unknown

Serial No.: 09/470,570

Group Art Unit: Unknown

Filed: December 22, 1999

Docket No.: 101.022US1

Title: MICROBIOLOGICALLY SOUND AND STABLE SOLUTION OF GAMMA HYDROXY BUTYRATE SALT FOR THE TREATMENT OF NARCOLEPSY

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

By: *P. Jurkovich*  
Name: Patti J. Jurkovich  
Reg. No.: Reg. No. 44,813

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

*Frances L. Essien*  
Frances L. Essien

*August 25, 2000*  
Date of Transmission