

Form PTO-1595
1-31-92

12-15-2000

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Assistant Commissioner

101551620

all documents or copy thereof.

1. Name of conveying party(ies):

Rhone-Poulenc Rorer SA

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

Sepracor Inc.
111 Locke Drive
Marlborough, Massachusetts 01752

Additional name(s) of conveying party(ies) attached?

☐ yes☒ no

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Names☐ Other

Additional name(s) & address(es) attached?

☐ yes☒ no

Execution Date: November 2, 1999

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)

09/124,651

B. Patent No.(s)

Additional numbers attached?

☐ Yes☒ No

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

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20037-3213

6. Total number of applications and registration involved:

1

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

☒ Enclosed. Please charge any underpayment in connection with this Assignment to Deposit Account No. 19-4880.☐ Authorized to be charged to Deposit Account

8. Deposit Account No.

19-4880 (if necessary)

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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.

40,491

Oliver R. Ashe, Jr.

Reg. No. 40,491

November 28, 2000

Date

TOTAL NUMBER OF PAGES COMPRISING COVER SHEET, ATTACHMENTS AND DOCUMENT: 4

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

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Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner of Patents**Box Assignments****Washington, D.C. 20231**

12/14/2000 MTHAI1 00000274 09124651

01 FC:581

40.00 UP

PATENT
REEL: 011327 FRAME: 0921

ASSIGNMENT

WHEREAS, Rhône-Poulenc Rorer SA ("RPR"), a French corporation having a place of business at 20, avenue Raymond-Aron, F-92160 Antony, France, is the sole owner of U.S. Patent Application Serial No. 09/124,651 entitled "Optically Active 5H-Pyrrolo[3,4-b] pyrazine Derivative, Its Preparation and Pharmaceutical Compositions Containing Same" (the "651 Application"), and United States patent applications related thereto; and

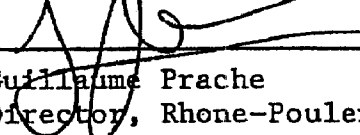
WHEREAS, Sepracor Inc. ("Sepracor"), a Delaware corporation having a place of business at 111 Locke Drive, Marlborough, Massachusetts 01752, is desirous of obtaining RPR's entire right, title, and interest in, to, and under the 651 Application, and United States patent applications related thereto, and RPR desires to assign to Sepracor its entire right, title and interest in the same.

NOW, THEREFORE, in consideration of the premises, one dollar, and other good and valuable consideration to RPR, the receipt and sufficiency of which is hereby acknowledged, RPR hereby assigns to Sepracor its entire right, title and interest in, to, and under the 651 Application and the related United States patent applications listed in Attachment A (collectively, the "RPR Applications", all of which are hereby incorporated by reference as if fully set forth herein) including, but not limited to, any additions, divisions, continuations, continuations-in-part, reissues, re-examinations, substitutions, extensions, patent term extensions and renewals of the RPR Applications, and patents issuing therefrom, in each case, as fully and entirely as the same would have been held and enjoyed by RPR if this assignment had not been made.

RPR also authorizes and requests that the Commissioner of Patents and Trademarks of the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to Sepracor in accordance with the terms of this instrument.

IN WITNESS WHEREOF, the undersigned duly authorized representative of RPR has affixed his signature.

RHÔNE-POULENC RORER SA

By:  (cmH)
Name: Guillaume Prache
Title: Director, Rhone-Poulenc Rorer SA
Senior Vice President and
Chief Financial Officer,
Rhone-Poulenc Rorer Inc.,
authorized signer for
Rhone-Poulenc Rorer SA.

Date: 11/2/99

State of Pennsylvania

)

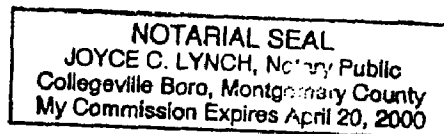
) SS.:

County of Montgomery

)

On this 2nd day of November, 1999, before me, a Notary Public in and for the State and County aforesaid, personally appeared Griffith Prache, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Joyce C. Lynch
Notary Public.



Attachment A

1. U.S. Patent Application Serial No. 07/821,662, filed January 16, 1992;
2. U.S. Patent Application Serial No. 08/034,199, filed March 19, 1993;
3. U.S. Patent Application Serial No. 08/109,863, filed August 20, 1993;
4. U.S. Patent Application Serial No. 08/232,313, filed April 25, 1994;
5. U.S. Patent Application Serial No. 08/342,794, filed November 21, 1994;
6. U.S. Patent Application Serial No. 08/493,946, filed June 23, 1995; and
7. Any U.S. patent application claiming benefit to French Patent Application No. 91-00490, filed January 17, 1991.

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PATENTS ONLY

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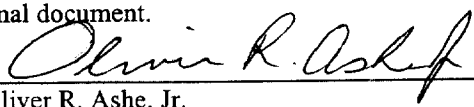
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PATENT
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