

10-15-2001



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Form PTO-1595  
(Rev. 03/01)

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**PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 5/31/2002)

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

1. Name of conveying party(ies):

Acusphere, Inc.

10.9 01

2. Name and address of receiving party(ies)

Name: GATX Ventures, Inc.

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

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

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other \_\_\_\_\_

Street Address: 3687 Mt. Boulevard, Suite  
200

Lafayette

City: Lafayette State: CA Zip: 94549

Execution Date: September 27, 2001

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)

09/706,045

B. Patent No.(s)

5,837,211 6,132,699

09/255,179 09/756,950

09/798,824

5,611,344 5,853,698 6,223,455

09/730,694 09/433,486

6,045,777

09/731,412 09/694,407

Additional numbers attached? Yes ☐ No ☒

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

Name: GATX Ventures, Inc.

Internal Address: Attn: Legal Department

Street Address: 16 Munson Road, Fl. 5

City: Farmington State: CT Zip: 06032

6. Total number of applications and patents involved: 22

7. Total fee (37 CFR 3.41).....\$ 560.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

(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.*

John C. Bombara, In-House Counsel

for GATX Ventures, Inc.

Name of Person Signing

Signature

October 4, 2001  
Date

10/12/2001 LMUELLER 00000121 09706045

Total number of pages including cover sheet, attachments, and documents: ☐

01 FC:581

560.00

Documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

**PATENT**  
**REEL: 012232 FRAME: 0226**

# GRANT OF SECURITY INTEREST

## PATENTS

THIS GRANT OF SECURITY INTEREST, dated as of September 27, 2001, is executed by ACUSPHERE, INC., a Delaware corporation ("Debtor"), in favor of GATX VENTURES, INC. and VENTURE LENDING & LEASING III (each a "Secured Party", and together the "Secured Parties").

A. Pursuant to a Venture Loan and Security Agreement, dated as of the date hereof (the "Agreement") among Debtor and the Secured Parties, the Secured Parties have agreed to extend certain credit facilities to Debtor upon the terms and subject to the conditions set forth therein;

B. Debtor owns the letters patent and/or applications for letters patent, of the United States, more particularly described on Schedules 1-A and 1-B annexed hereto as part hereof (collectively, the "Patents");

C. Pursuant to the Agreement, Debtor has granted to Secured Parties a security interest in all right, title and interest of Debtor in and to the Patents, together with any reissue, continuation, continuation-in-part or extension thereof, and all proceeds thereof, including any and all causes of action which may exist by reason of infringement thereof for the full term of the Patents (the "Collateral"), to secure the prompt payment, performance and observance of the Obligations, as defined in the Agreement;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Debtor does hereby further grant to Secured Parties a security interest in the Collateral to secure the prompt payment, performance and observance of the Obligations.

Debtor does hereby further acknowledge and affirm that the rights and remedies of Secured Parties with respect to the security interest in the Collateral granted hereby are more fully set forth in the Agreement, the terms and provisions of which are hereby incorporated herein by reference as if fully set forth herein.

The Secured Parties do hereby further acknowledge and affirm that the rights and remedies of the Borrower with respect to the security interest in the Collateral granted hereby are more fully set forth in the Agreement, the terms and provisions of which are hereby incorporated herein by reference as if fully set forth herein. This grant of security interest shall terminate in accordance with the terms of the Agreement.

Secured Parties' addresses are: GATX Ventures, Inc.  
3687 Mount Diablo Blvd., Suite 200  
Lafayette, California 94549

With a copy to:

GATX Ventures, Inc.

16 Munson Road  
Farmington, CT 06032

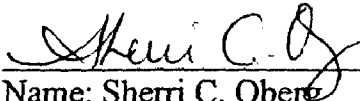
and

Venture Lending & Leasing III, Inc.  
2010 North First Street, Suite 310  
San Jose, CA 95131

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first written above.

ACUSPHERE, INC.

By:   
Name: Sherri C. Oberg  
Title: President

GATX VENTURES, INC.

By: \_\_\_\_\_  
Name:  
Title:

VENTURE LENDING & LEASING III, INC.

By: \_\_\_\_\_  
Name:  
Title:

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first written above.

ACUSPHERE, INC.

By: \_\_\_\_\_  
Name: Sherri C. Oberg  
Title: President

GATX VENTURES, INC.

By: Robert D. Pomeroy, Jr.  
Name: Robert D. Pomeroy, Jr.  
Title: Senior Vice President

VENTURE LENDING & LEASING III, INC.

By: \_\_\_\_\_  
Name:  
Title:

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first written above.

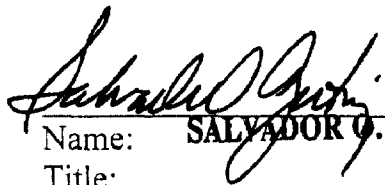
ACUSPHERE, INC.

By: \_\_\_\_\_  
Name: Sherri C. Oberg  
Title: President

GATX VENTURES, INC.

By: \_\_\_\_\_  
Name:  
Title:

VENTURE LENDING & LEASING III, INC.

By:   
Name: SALVADOR O. GUTIERREZ  
Title: PRESIDENT

SCHEDULE 1-A TO GRANT OF SECURITY INTEREST

PATENTS

Patent	Registration Number	Date Issued
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"Microencapsulated fluorinated gases for use as imaging agents."	U.S. Patent No. 5,611,344	March, 18,1997
"Polymer-lipid microencapsulated gases for use as imaging agents."	U.S. Patent No. 5,837,211	November 17,1998
"Method for making porous microparticles by spray drying."	U.S. Patent No. 5,853,698	December 29,1998
"Method for enhancing the echogenicity of decreasing the attenuation of microencapsulated gases."	U.S. Patent No. 6,045,777	April 4, 2000
"Microencapsulated fluorinated gases for use as imaging agents."	U.S. Patent No. 6,132,699	October 17,2000
"Spray drying apparatus and methods of use."	U.S. Patent No. 6,223,455	May 1, 2001

SCHEDULE 1-B TO GRANT OF SECURITY INTEREST

PATENT APPLICATIONS

<b>Patent Application</b>	<b>Application Number</b>	<b>Application Date</b>
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<u>"Matrices Formed of Polymer and Hydrophobic Compounds."</u>	<u>ACU 105 Application</u> <u>09/255,179</u>	<u>filed 02/22/99</u> <u>(CPA filed 06/08/01)</u>
<u>"Matrices Formed of Polymer and Hydrophobic Compounds."</u>	<u>ACU 105 DIV Application</u> <u>09/730,694</u>	<u>filed 12/06/00</u>
<u>"Matrices Formed of Polymer and Hydrophobic Compounds."</u>	<u>ACU 105 DIV(2) Application</u> <u>09/731,412</u>	<u>filed 12/06/00</u>
<u>"Spray Drying Apparatus and Methods of Use."*</u>	<u>ACU108 CIP Application</u> <u>09/756,950</u>	<u>filed 01/09/01</u>
<u>"Porous Drug Matrices and Methods of Manufacture Thereof."</u>	<u>ACU109 Application</u> <u>09/433,486</u>	<u>filed 11/04/99</u>
<u>"Porous Drug Matrices and Methods of Manufacture Thereof."</u>	<u>ACU109 DIV Application</u> <u>09/694,407</u>	<u>filed 10/23/00</u>
<u>"Porous Drug Matrices and Methods of Manufacture Thereof."</u>	<u>ACU109 DIV(2) Application</u> <u>09/706,045</u>	<u>filed 11/03/00</u>
<u>"Porous Paclitaxel Matrices and Methods of Manufacture Thereof."</u>	<u>ACU 110 Application</u> <u>09/798,824</u>	<u>filed 03/02/01</u>
<u>"Porous Celecoxib. Matrices and Methods of Manufacture Thereof."</u>	<u>ACU 111 (Application to be assigned)</u>	<u>filed 06/14/01</u>
<u>"Paclitaxel formulations for local Treatment."</u>	<u>ACU 114 (Application to be assigned)</u>	<u>filed 06/21/01</u>

\* Notice of Allowance received 07/20/01.