

01-30-2003

FORM PTO-1595

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

102355078

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

1. Name of conveying party(ies):

Gentium S.p.A.

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

No

3. Nature of conveyance:

☒ Assignment

Security Agreement

Other

Merger

Change of Name

Execution Date: October 15, 2002

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

Name: Axcen Pharma Inc.

Internal Address: 597, boul. Laurier

Mont St-Hilaire Québec Canada J3H 6C4

Street Address: as above

City: 1-24-03

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

B. Patent No.(s) US 5,731,302

Additional numbers attached? No

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

Name: ROBIC

Internal Address: 55 rue St-Jacques
Montreal, Qc, Canada H2Y 3X2

Street Address: as above

City: State:

6. Total number of applications and patents involved:

7. Total fee (37 C.F.R. § 3.41). \$40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number: 18-1640

(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.

Nathalie Jodoin 41,558

Name of Person Signing

Signature

Date

12/23/03

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

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

01/29/2003 TDAZ1 00000031 5731302

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40.00 DP

PATENT
REEL: 013691 FRAME: 0773

ASSIGNMENT

In consideration of one dollar, paid to us by Axcan Pharma Inc., whose full post office address is 597, boul. Laurier, Mont St-Hilaire (Québec) J3H 6C4 Canada, receipt of which is hereby acknowledged, and other good and valuable considerations, the undersigned, Gentium S.p.A., whose full post office address is Piazza XX Settembre n. 2, 22079 Villa Guardia (Como), Italy, does hereby sell and assign (and confirm such sale and assignment) to Axcan Pharma Inc. all its right, title and interest in the United States of America, in and to the invention entitled STABLE AQUEOUS SUSPENSIONS OF MESALAZINE as fully described and claimed in the United States patent no. US 5,731,302 and any corresponding patent applications including, without limitation, continuation applications, continuation-in-part applications and divisional applications, and any patents which may issue therefor and any patents which may be reissued, re-examined or extended therefrom.

The undersigned, Gentium S.p.A., further agrees to execute all the forms and papers that may be necessary to file an original, continuation, divisional or reissue application in the United States. The undersigned, Gentium S.p.A., also agrees to communicate to Axcan Pharma Inc. or its representatives any facts known to the undersigned, Gentium S.p.A., respecting said invention, make all rightful oaths and generally do everything possible to aid Axcan Pharma Inc., its successors and assigns to obtain and enforce proper protection for said invention in the United States.

It is the express wish of the parties that this Agreement and all related documents be drafted in the English language. C'est la volonté expresse des parties que cette convention et tous les documents y afférents soient rédigés en langue anglaise.

[Remainder of this page intentionally left blank. The next page is the signature page.]

SIGNED this 15 day of OCTOBER 2002
(day) (month) (year)

at VILLA GUARDIA COMO ITALY
(City) (Province) (Country)

WITNESS

GENTIUM S.P.A.

Per:

Pietro Benjamin Cucchi

Full name: PIETRO BENIAMINO CUCCHI

Laura Maria Ferro

Name: CEO LAURA MARIA FERRO n.d.

Title: C.E.O.

READ AND APPROVED

SIGNED this 13th day of November 2002
(day) (month) (year)

at Mont-Saint-Hilaire Quebec Canada
(City) (Province) (Country)

WITNESS

AXCAN PHARMA INC.

Per:

Jocelyn R. Peldat

Full name: Jocelyn R. Peldat

Richard Tarte

Name: Richard Tarte
Title: General Counsel

(signatures end)

[Signature page to the Assignment]