

FORM PTO-1595  
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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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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):

HORPHAG RESEARCH, LTD.

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

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

Name: CENTRE D'EXPERIMENTATION PYCNOGENOL SARL

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

Street Address: 52 Boulevard de Sebastopol

City Paris Country France

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☐ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☒ Other CONFIRMATORY AGREEMENT

Execution Date: June 18, 2003; June 19, 2003

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)

Pat. No.: 4,698,360

Issued: October 6, 1987

Additional numbers attached? ☐ Yes ☒ No

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

Name: Norman H. Zivin

Internal Address: Cooper & Dunham LLP

Street Address: 1185 Avenue of the Americas

23rd Floor

City: New York State: New York ZIP: 10036

6. Total number of applications and patents involved: 1

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

☒ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

03-3125

(Attach duplicate copy of this page if paying by deposit account)

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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.*

Norman H. Zivin

Name of Person Signing

[Signature]  
Signature

June 23, 2003

Date

Total Number of pages including cover sheet: 4

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

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PATENT  
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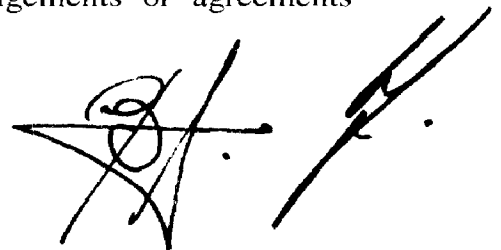
# PATENT OWNERSHIP CONFIRMATORY AGREEMENT

THIS AGREEMENT, effective as of April 24, 2003 is by and between Horphag Research, Ltd., a company organized and existing under the laws of the United Kingdom and having its registered office at 1 Le Marchant Street, St. Peters Port, Guernsey, Channel Islands (HRL) and Centre d'Expérimentation Pycnogenol Sarl, a company organized and existing under the laws of France and having an address at 52 Boulevard de Sebastopol, Paris, France (CEP).

WHEREAS, HRL is the owner of an undivided one-half (50%) right, title and interest in and to United States Patent No. 4,698,360, issued October 6, 1987 to Jack Masquelier for Plant Extract With a Proanthocyanidins Content as Therapeutic Agent Having Radical Scavenger Effect and Use Thereof (the Patent);

WHEREAS, THE PARTIES agree that as the result of the merger between CEP and the SCIPA Company, CEP is the current owner of an undivided one-half (50%) right, title and interest in and to the same United States Patent No. 4,698,360;

WHEREAS, THE PARTIES agree that this Patent Ownership Confirmatory Agreement does not alter or otherwise modify any other arrangements or agreements between the parties.



#61294 v3  
103265-45647

WHEREAS, HRL and CEP desire to normalize their relationship and clarify their respective ownership interests in the Patent and to enable the effective enforcement thereof in the United States.

NOW, THEREFORE, in consideration of the promises and mutual covenants of the parties, it is agreed as follows:

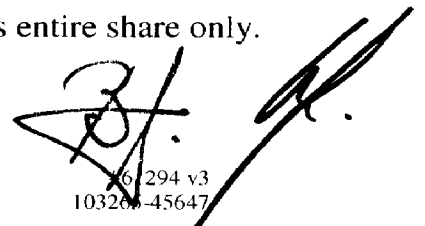
1. HRL expressly agrees and acknowledges that, to the best of its information and belief, CEP is the owner of an undivided one-half (50%) right, title and interest in and to the Patent.

2. CEP expressly agrees and acknowledges that, to the best of its information and belief, HRL is the owner of an undivided one-half (50%) right, title and interest in and to the Patent.

3. Neither party will contest the ownership interest of the other party, nor assist any other person or entity in doing so.

4. To the extent that there is any decision, order or judgment of any court that one party does not own an undivided one-half (50%) interest in and to the Patent, and to the extent that the other party also is adjudged to own the entire (100%) interest in and to the Patent, the latter does hereby irrevocably assign to the other party an undivided one-half (50%) interest in and to the Patent.

5. Rights in the Patent may be assigned, but the parties agree that any further assignment by a party of its share in and to the Patent shall be of the party's entire share only.



Handwritten signatures and a stamp. The stamp contains the text: 06/29/94 v3, 103266-45647.

6. Co-ownership of the Patent shall be controlled by the laws of the United States.

7. The parties shall cooperate in, and join if necessary, litigation with respect to the validity, infringement or enforcement of the Patent.

8. The parties agree that each of them shall employ the Patent number in connection with any and all products concerning proanthocyanidins which are within the scope of the Patent claims.

9. This Agreement shall remain in effect for the full term of the Patent.

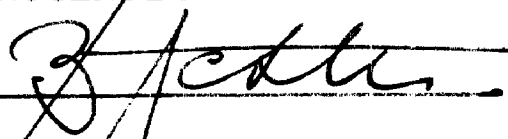
HORPHAG RESEARCH, LTD.

Dated: June 18, 2003

By:   
Name: Victor Ferrari  
Title: Director

CENTRE D'EXPERIMENTATION  
PYCNOGENOL SARL

Dated: 19 June, 2003

By:   
Name: Egbert M. Schwitters  
Title: Gérant