

PATENT ASSIGNMENT

Electronic Version v1.1

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SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

RELEASE BY SECURED PARTY

CONVEYING PARTY DATA

Name	Execution Date
XMark Fund, Ltd.	12/11/2008
XMark Fund, L.P.	12/11/2008

RECEIVING PARTY DATA

Name:	Peregrine Pharmaceuticals, Inc.
Street Address:	14282 Franklin Avenue
City:	Tustin
State/Country:	CALIFORNIA
Postal Code:	92780

Name:	Avid BioSciences, Inc.
Street Address:	14282 Franklin Avenue
City:	Tustin
State/Country:	CALIFORNIA
Postal Code:	92780

PROPERTY NUMBERS Total: 4

Property Type	Number
Patent Number:	6071491
Patent Number:	6017514
Patent Number:	5882626
Patent Number:	5019368

CORRESPONDENCE DATA

Fax Number: (714)427-7799

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 714.427.7405

Email: lholstein@swlaw.com

PATENT

500735528

REEL: 021998 FRAME: 0531

CH \$160.00 6071491

Correspondent Name:	Ketan S. Vakil
Address Line 1:	600 ANTON BOULEVARD
Address Line 2:	SUITE 1400
Address Line 4:	COSTA MESA, CALIFORNIA 92626

ATTORNEY DOCKET NUMBER:	45622-0001
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NAME OF SUBMITTER:	Ketan S. Vakil
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Total Attachments: 6  
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RELEASE

This Release of Security Interest (this "**Release**"), dated as of December 11, 2008 is by Xmark Fund, Ltd. and Xmark Fund, L.P (collectively, "**Agents**").

A WHEREAS, the Agents are parties to that certain Intellectual Property Security Agreement dated as of August 9, 2002, (the "**Security Agreement**") pursuant to which Peregrine Pharmaceuticals, Inc., a Delaware corporation, and Avid Bioservices, Inc., a Delaware corporation (collectively, "**Debtors**"), granted to the investors signatory thereto (including the Agents) (collectively, "**Secured Parties**"), a security interest in all of their now owned or hereafter acquired intellectual property and other related assets (the "**Collateral**").

B. WHEREAS, on September 10, 2002, the Agents, on behalf of the Secured Parties, recorded with the United States Patent and Trademark Office (the "**USPTO**") in order to give notice that the patents ("**Patents**") and trademark ("**Trademark**") identified on Exhibits A and B, respectively, had been pledged as Collateral under the Security Agreement.

C. WHEREAS, the Debtors subsequently satisfied all Obligations (as defined in the Security Agreement) and now desire that the Agents, on behalf of the Secured Parties, record this Release with the USPTO in order to release any and all right, title and interest in and to the Patents and Trademark that the Secured Parties may have, and the Agents wish to record this Release.

NOW, THEREFORE, FOR VALUE RECEIVED, the Agents, on behalf of the Secured Parties, do hereby irrevocably and unconditionally release any and all right, title or interest of any kind that exists today and may exist in the future in and to the Patents and Trademark, and all other intellectual property held as Collateral under the Security Agreement.

Additionally, Agents hereby authorize the Debtors or their authorized representative to record this Release with the USPTO in order to memorialize the release of any security interest of the Secured Parties in the Patents and Trademark.

This Release is governed by the laws of the State of Delaware, excluding its choice of law principles to the contrary. This Release shall be binding upon the Agents and Secured Parties and their respective successors and assigns and inures to the benefit of the Debtors and their respective successors and assigns.

IN WITNESS WHEREOF, Agents have caused this Release to be executed by their duly authorized representatives as of the date set forth above.

XMARK FUND, LTD

By: 

Name: DAVID C. CAVALIER

Title: AUTHORIZED PERSON

XMARK FUND, L.P.

By: 

Name: DAVID C. CAVALIER

Title: AUTHORIZED PERSON

**EXHIBIT A**  
**PATENTS**

# PATENTS

Case Number	Title of Invention	Country	Status	Application Number	Filing	Patent Number	Issue Date
CNBIO.001C1 1/25/00	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	US	Issued	09/268543	3/11/99		6017514
CNBIO.001C2 6/6/00	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	US	Issued	09/370367	8/9/99		6071491
CNBIO.001VCH 10/5/94	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	CH	Issued	87319566.2	12/1/87		0270340
CNBIO.001VDE 10/5/94	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	DE	Issued	87319566.2	12/1/87		P3750630.7
CNBIO.001VFR 10/5/94	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	FR	Issued	87319566.2	12/1/87		0270340
CNBIO.001VGB 10/5/94	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	GB	Issued	87319566.2	12/1/87		0270340
CNBIO.001VNL 10/5/94	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	NL	Issued	87319566.2	12/1/87		0270340
CNBIO.01A 8/29/89	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	US	Issued	06/938425	12/5/86		4861581
CNBIO.01G 5/28/91	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY.	US	Issued	07/314437	2/23/89		5019368

Case Number	Title of Invention	Country	Status	Application Number	Filing	Patent Number	Issue Date
CNBIO.01GDV1 3/16/99	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	US		Issued	07/668920	3/13/91	5882626
CNBIO.0K1 7/27/88	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	ZA		Issued	87/9076	12/3/87	87/9076
CNBIO.A01 12/3/87	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	AU		Issued	82047/87	12/3/87	603161
CNBIO.C01 5/30/95	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	CA		Issued	553419	12/3/87	1335720
CNBIO.J01 1/9/98	ANTIBODY CONJUGATE AND METHOD FOR PREPARING THE SAME	JP		Issued	305505/1987	12/2/87	2733658
CNBIO.U01 10/5/94	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	EP		Issued	87310566.2	12/1/87	0270340
CNBIO.Z01 7/10/90	DETECTION OF NECROTIC MALIGNANT TISSUE AND ASSOCIATED THERAPY	NZ		Issued	222744	11/30/87	222744

**EXHIBIT B  
TRADEMARK**

**TRADEMARKS**

Description: Cotara™

Registration Number: 75 / 721,323

Registration Date: June 4, 1999