

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY AGREEMENT
CONVEYING PARTY DATA	
Name	Execution Date
AlgoRx Pharmaceuticals, Inc.	05/18/2009
RECEIVING PARTY DATA	
Name:	Arcion Therapeutics, Inc.
Street Address:	2400 Boston Street
Internal Address:	Suite 330
City:	Baltimore
State/Country:	MARYLAND
Postal Code:	21224
PROPERTY NUMBERS Total: 20	
Property Type	Number
Patent Number:	5962532
Application Number:	10742441
Application Number:	10742621
Application Number:	11499995
Application Number:	12077494
Application Number:	10821473
Application Number:	10741197
Application Number:	10741196
Application Number:	10741194
Application Number:	10742443
Application Number:	10741195
Application Number:	11499989
Application Number:	12077492
Application Number:	11286059

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PATENT
REEL: 022703 FRAME: 0645

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Patent Number:	6248788
PCT Number:	US9804912
PCT Number:	US0340356
PCT Number:	US0410745
PCT Number:	US0340766
PCT Number:	US0542578

CORRESPONDENCE DATA

Fax Number: (212)355-3333

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

Phone: 212-813-8954

Email: jsobey@goodwinprocter.com

Correspondent Name: J Sobey

Address Line 1: 620 Eighth Avenue

Address Line 4: New York, NEW YORK 10018-1405

ATTORNEY DOCKET NUMBER:	124603-191792
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NAME OF SUBMITTER:	Paul Davis
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Total Attachments: 15

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GRANT OF PATENT SECURITY INTEREST

May 18, 2009

WHEREAS, AlgoRx Pharmaceuticals, Inc., a Delaware corporation (the **“Grantor”**), owns and uses in its business, and will in the future adopt and so use, various intangible assets, including the Patent Collateral (as defined below);

WHEREAS, Anesiva, Inc., a Delaware corporation (the **“Company”**), has entered into that certain Secured Note Purchase Agreement dated as of May 18, 2009 (as amended, restated, supplemented or otherwise modified from time to time, the **“Purchase Agreement”**) with Arcion Therapeutics, Inc. (collectively, together with its successors and assigns party to the Purchase Agreement from time to time, the **“Investor”**) pursuant to which the Investor has made certain commitments and loans to the Company, subject to the terms and conditions set forth in the Purchase Agreement;

WHEREAS, the Grantor has executed and delivered the Guaranty dated as of May 18, 2009 (as amended, restated, supplemented or otherwise modified from time to time, the **“Guaranty”**) in favor of the Investor, pursuant to which the Grantor has guarantied the prompt payment and performance when due of all obligations of the Company under the Purchase Agreement and the other Related Documents (as defined therein); and

WHEREAS, pursuant to the terms of that certain Pledge, Security and Collateral Agent Agreement dated as of May 18, 2009 (as amended, restated, supplemented or otherwise modified from time to time, being the **“Security Agreement”**), among the Grantor, Investor, as collateral agent for the Investor (in such capacity, the **“Collateral Agent”**), and the other grantors named therein, the Grantor created in favor of the Collateral Agent a first lien security interest in, and the Collateral Agent has become a secured creditor with respect to, the Patent Collateral;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, subject to the terms and conditions of the Security Agreement, to evidence further the first lien security interest granted by the Grantor to the Collateral Agent pursuant to the Security Agreement, the Grantor hereby grants to the Collateral Agent a first lien security interest in all of the Grantor’s right, title and interest in and to the following, in each case whether now or hereafter existing or in which the Grantor now has or hereafter acquires an interest and wherever the same may be located (the **“Patent Collateral”**):

- (i) all rights, title and interest (including rights acquired pursuant to a license or otherwise) in and to all patents and patent applications and rights and interests in patents and patent applications under any domestic or foreign law that are presently, or in the future may be, owned or held by the Grantor and all patents and patent applications and rights, title and interests in patents and patent applications under any domestic or foreign law that are presently, or in the future may be, owned by the Grantor in whole or in part (including, without limitation, the patents and patent applications set forth on Schedule A annexed hereto and all inventions and improvements described and claimed therein), all rights (but not obligations) corresponding thereto to sue for past, present and future

infringements and all re-issues, divisions, continuations, renewals, extensions and continuations-in-part thereof and the right to recover for any infringements or misappropriations thereof; and

(ii) all proceeds, products, rents and profits of or from any and all of the foregoing Patent Collateral and, to the extent not otherwise included, all payments under insurance (whether or not the Collateral Agent is the loss payee thereof), or any indemnity, warranty or guaranty, payable by reason of loss or damage to or otherwise with respect to any of the foregoing Patent Collateral. For purposes of this Grant of Patent Security Interest, the term **“proceeds”** includes whatever is receivable or received when Patent Collateral or proceeds are sold, licensed, exchanged, collected or otherwise disposed of, whether such disposition is voluntary or involuntary.

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

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IN WITNESS WHEREOF, the Grantor has caused this Grant of Patent Security Interest to be duly executed and delivered by its officer thereunto duly authorized as of the date first written above.

ALGORX PHARMACEUTICALS, INC.

By: 
Name: Michael L. Kranda
Title: President and CEO

**SCHEDULE A
TO
GRANT OF PATENT SECURITY INTEREST**

782448 v3/HN

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1002 US	09/041,294	Therapeutic Method With Capsaicin And Capsaicin Analogues	March 12, 1998	Granted on October 5, 1999 as U.S. Patent No. 5,962,532 7.5 YR maintenance fee due on April 5, 2007.
900.1002PCT	PCT/US98/04912	Compositions Containing Capsaicin Or Capsaicin Analogues & A Local Anesthetic	March 12, 1998	Entered the National Stage
900.1002AT Austria	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues & A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Austrian Patent No. E219674
900.1002AU Australia	65532/98	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on September 28, 2000 as Australian Patent No. 720,859
900.1002BE Belgium	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues & A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Belgian Patent No. 998288
900.1002CA Canada	2,285,203	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on July 26, 2005 as Canadian Patent No. 2,285,203
900.1002CH Switzerland	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Swiss Patent No. 998288
900.1002DE Germany	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as German Patent No. 69806246.9-08
900.1002DK Denmark	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as a Denmark Patent No. 998288

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1002EP Europe	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as EP Patent No. 998288

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1002EPDIV Europe	1204692.6	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Response to Office Action submitted to EPO
900.1002ES Spain	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Spanish Patent No. 998288
900.1002FI Finland	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Finnish Patent No. 998288

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1002FR France	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as French Patent No. 998288
900.1002GR Greece	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Greek Patent No. 2020402900
900.1002HK	107078	Compositions Containing	November 8,	Granted on June 26, 2002 as

Hong Kong			Capsaicin Or Capsaicin Analogues And A Local Anesthetic	2000	Hong Kong Patent No. 1027759
900.1002IE Ireland	98911614		Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Irish Patent No. 998288
900.1002IT Italy	98911614		Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Italian Patent No. 998288
900.1002JP Japan	10-539822		Therapeutic Method With Capsaicin And Capsaicin Analogues	September 9, 1999	Expedited Examination requested January 2008
900.1002LI Liechtenstein	98911614		Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Liechtenstein Patent No. 2020402900
900.1002LU Luxembourg	98911614		Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Luxembourg Patent No. 998288

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1002MC Monaco	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Monaco Patent No. 998288
900.1002NL Netherlands	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues And A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Netherlands Patent No. 998288
900.1002PT Portugal	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues & A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Portuguese Patent No. 998288
900.1002SE Sweden	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues & A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as Swedish Patent No. 998288
900.1002UK Great Britain	98911614	Compositions Containing Capsaicin Or Capsaicin Analogues & A Local Anesthetic	March 12, 1998	Granted on June 26, 2002 as British Patent No. 998288

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1004US	10/742,441	Injectable Capsaicin and NSAID Adjunctive Agent (Administration of Capsaicinoids)	December 18, 2003	Notice of Appeal filed.
900.1007US	10/742,621	Injectable Capsaicin	December 18, 2003	Abandoned in favor of Continuation Application

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1007DIV	11/499,995	Injectable Capsaicin	August 7, 2006	Awaiting first Office Action
900.1007CON	12/077,494	Injectable Capsaicin	March 18, 2008	Awaiting first Office Action
900.1007PCT	PCT/US03/40356	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Entered national phase
900.1007AR Argentina	P05-01-02460	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Pending
900.1007AU Australia	2003299691	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Acceptance due May 23, 2008
900.1007BR Brazil		Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Pending
900.1007CA Canada	2510181	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Response to Office Action filed
900.1007CN China	200380109828.0 Published as CN17590839A March 22, 2006	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Response to Office Action filed
900.1007EA Eurasia	200500986	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Response to Office Action filed
900.1007EP Europe	03799973.7 Publ. No 1 605956	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Pending
900.1007IL Israel	169214	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Pending

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
		Capsaicinoids)		
900.1007IN India	2648/DELNP/2005	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Response to Office Action due Oct. 12, 2008 (deadline date)
900.1007JP Japan	2005-510006	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Pending
900.1007MX Mexico	006670	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Pending
900.1007NZ New Zealand	540769	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Response to Office Action filed
900.1009US	10/821,473	Synthesis And Purification Of Capsaicin	April 8, 2004	Notice of Appeal filed
900.1009PCT	PCT/US04/10745	Synthesis And Purification Of Capsaicin	April 8, 2004	National phase entered
900.1009AR Argentina	P05-01-04230	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009AU Australia	2004230915	Preparation and Purification of Capsaicin	April 8, 2004	Pending

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1009BR Brazil	Not known yet	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009CA Canada	2521925	Preparation and Purification of Capsaicin	April 8, 2004	Response to Office Action due February 22, 2008
900.1009CN China	200480015966.7	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009EA Eurasia	200501582	Preparation and Purification of Capsaicin	April 8, 2004	Granted April 23, 2007 (EA 008705) Expires April 8, 2024
900.1009EP Europe	EP 047 49 854.8	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009IL Israel	171282	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009IN India	Not known yet	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009JP Japan	Not known yet	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009MX Mexico	01 0882	Preparation and Purification of Capsaicin	April 8, 2004	Pending
900.1009NZ New Zealand	542 887	Preparation and Purification of Capsaicin	April 8, 2004	Response to Office Action due January 3, 2009

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1013US	10/741,197	Injectable Capsaicin With Non-Local Anesthetic Sodium Channel-Blocker Adjunctive Agent (Administration of Capsaicinoids)	December 18, 2003	Notice of Appeal filed
900.1014US	10/741,196	Injectable Capsaicin With Vasoconstrictor Adjunctive Agent (Administration of Capsaicinoids)	December 18, 2003	Notice of Appeal filed

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1019US	10/741,194	Injectable Capsaicin With Tricyclic Antidepressant Adjunctive Agents	December 18, 2003	Notice of Appeal filed
900.1020US	10/742,443	Injectable Capsaicin With Nitrate Vasodilator Adjunctive Agents (Administration of Capsaicinoids)	December 18, 2003	Notice of Appeal filed
900.1027PCT	PCT/US03/40766	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Entered national phase
900.1027EP Europe	03813821.0	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Notification of Grant received from EPO

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1027JP Japan	2005-502659	Injectable Capsaicin (Administration of Capsaicinoids)	December 18, 2003	Pending
900.1028US	10/741,195	Infiltration Of Capsaicin Into Surgical Sites And Open Wounds	December 18, 2003	Abandoned in favor of continuation application
900.1028DIV	11/499,989	Infiltration Of Capsaicin Into Surgical Sites And Open Wounds	August 7, 2006	Awaiting first Office Action
900.1028CON2	12/077,492	Infiltration Of Capsaicin Into Surgical Sites And Open Wounds	March 18, 2008	Awaiting first Office Action
900.1034US	11/286,059	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Response to Restriction Requirement due June 27, 2008
900.1034PCT	PCT/US05/42578	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Entered national phase

DDK NO.	SERIAL NO.	TITLE/BRIEF SUMMARY	FILING DATE	STATUS
900.1034AR		Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034AU	2005309586	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034BR		Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034CA	2596194	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034CN	2005800471	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034EA		Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034EP	05853319.1	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034IL	183332	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034IN	3852/DELNP/2007	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034JP	2007543484	Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034MX		Capsaicinoid Gel Formulation and Uses Thereof	November 23, 2005	Pending
900.1034NZ	555331	Capsaicinoid Gel Formulation and Use Thereof	November 23, 2005	Pending
N/A	08/746,207	Therapeutic Method with	November 6,	Issued as U.S.

	(Wendye Robbins)	Capsaicin and Capsaicin Analogues	1996	6,248,788 on June 19, 2001. Expires Nov. 16, 2016
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