

## PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Patent Transfer and Assignment
CONVEYING PARTY DATA	
Name	Execution Date
Midcap Financial, LLC	06/16/2013
RECEIVING PARTY DATA	
Name:	Midcap Funding IV, LLC
Street Address:	7255 Woodmont Avenue
Internal Address:	Suite 200
City:	Bethesda
State/Country:	MARYLAND
Postal Code:	20814
PROPERTY NUMBERS Total: 13	
Property Type	Number
Patent Number:	7915307
Application Number:	13653213
Application Number:	12101917
Application Number:	12301457
Application Number:	12446914
Application Number:	13621665
Application Number:	11804720
Application Number:	13492559
Application Number:	11867595
Application Number:	13612328
Application Number:	12301223
Application Number:	13692415
Application Number:	13692715
CORRESPONDENCE DATA	

502494645

PATENT  
 REEL: 031266 FRAME: 0572

CH \$520.00 7915307

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ATTORNEY DOCKET NUMBER:	41012.00.0108
NAME OF SUBMITTER:	Christine Casey
Signature:	/Christine Casey/
Date:	09/13/2013
	This document serves as an Oath/Declaration (37 CFR 1.63).

**Total Attachments: 7**

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## **PATENT TRANSFER AND ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned, **MIDCAP FINANCIAL, LLC**, a Delaware limited liability company ("Assignor"), does hereby sell, assign, transfer and convey to **MIDCAP FUNDING IV, LLC**, a Delaware limited liability company ("Assignee"), without any representation or undertaking by, or recourse to, Assignor, all of Assignor's entire right, title and interest in and to all patent registrations, applications, and licenses referred to on Schedule 1 attached hereto, arising under that certain Patent Security Agreement, dated December 31, 2012, by and between Pernix Therapeutics, LLC, a Louisiana limited liability company, Cypress Pharmaceuticals, Inc., a Mississippi corporation, Gaine, Inc., a Delaware corporation, Respicopea Inc., a Delaware corporation, and Hawthorn Pharmaceuticals, Inc., a Mississippi corporation, as grantors, and Assignor, recorded on January 3, 2013 on (i) Reel No. 029569, Frame No. 0012, and (ii) Reel No. 029567, Frame Nos. 0694, 0861, and 0906 with the U.S. Patent and Trademark Office, including, without limitation, all proceeds thereof, the right to sue for past, present and future infringements, all rights corresponding thereto and all re-issues, divisions, continuations, renewals, extensions and continuations-in-part thereof.

This Patent Transfer and Assignment shall be effective as of May 16, 2013.

*(Signature Page Follows)*

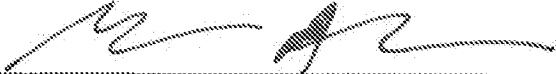
*(Signature Page to Patent Transfer and Assignment)*

IN WITNESS WHEREOF, Assignor has caused this Patent Transfer and Assignment to be signed by its duly authorized officer, effective as of the date set forth above.

**ASSIGNOR:**

**MIDCAP FINANCIAL, LLC**, a Delaware limited liability company

By:

  
\_\_\_\_\_  
Maurice Amsellem  
Managing Director

Schedule 1

See attached.

**Schedule 1****Patents****Owned Patents and Patent Applications**

<b>Title</b>	<b>Country</b>	<b>Status</b>	<b>Serial No.</b>	<b>Filing Date</b>	<b>Patent No.</b>	<b>Issue Date</b>
METHODS OF IMPROVING THE PHARMACOKINETICS OF DOXEPIN	US	Issued	11/781,165	7/20/2007	7,915,307	3/29/2011
METHODS OF IMPROVING THE PHARMACOKINETICS OF DOXEPIN	US	Pending	13/653,213	10/16/2012		
METHODS OF IMPROVING THE PHARMACOKINETICS OF DOXEPIN	CA	Pending	2693992	7/20/2007		
LOW-DOSE DOXEPIN FORMULATIONS AND METHODS OF MAKING AND USING THE SAME	US	Pending	12/101,917	4/11/2008		
LOW-DOSE DOXEPIN FORMULATIONS AND METHODS OF MAKING AND USING THE SAME	CA	Pending	2721133	4/11/2008		

**Co-Owned Patent Applications**

<b>Title</b>	<b>Country</b>	<b>Status</b>	<b>Serial No.</b>	<b>Filing Date</b>	<b>Patent No.</b>	<b>Issue Date</b>
N-DESMETHYL-DOXEPIN AND METHODS OF USING THE SAME TO TREAT SLEEP DISORDERS	US	Pending	12/301,457	4/12/2010		
ULTRA LOW DOSE DOXEPIN AND METHODS OF USING	US	Pending	12/446,914	5/27/2010		

THE SAME TO TREAT SLEEP DISORDERS						
LOW-DOSE DOXEPIN FOR TREATMENT OF SLEEP DISORDERS IN ELDERLY PATIENTS	US	Pending	13/621,665	9/17/2012		
METHODS OF USING LOW-DOSE DOXEPIN FOR THE IMPROVEMENT OF SLEEP	US	Pending	11/804,720	5/18/2007		
METHODS OF USING LOW-DOSE DOXEPIN FOR THE IMPROVEMENT OF SLEEP	US	Pending	13/492,559	6/8/2012		
METHODS OF USING LOW-DOSE DOXEPIN FOR THE IMPROVEMENT OF SLEEP	CA	Pending	2687118	5/18/2007		
METHODS OF USING LOW-DOSE DOXEPIN FOR THE IMPROVEMENT OF SLEEP	JP	Pending	2009-511109	5/18/2007		
METHODS OF USING LOW-DOSE DOXEPIN FOR THE IMPROVEMENT OF SLEEP	US	Pending	11/867,595	10/4/2007		
COMBINATION THERAPY USING LOW-DOSE DOXEPIN FOR THE IMPROVEMENT OF SLEEP	US	Pending	3/612,328	9/12/2012		
LOW DOSE DOXEPIN FORMULATIONS, INCLUDING BUCCAL, SUBLINGUAL AND FASTMELT FORMULATIONS, AND USES OF THE SAME TO	US	Pending	12/301,223	7/14/2011		

TREAT INSOMNIA						
LOW DOSE DOXEPIN FORMULATIONS, INCLUDING BUCCAL, SUBLINGUAL AND FASTMELT FORMULATIONS, AND USES OF THE SAME TO TREAT INSOMNIA	CA	Pending	2687124	5/18/2007		
LOW DOSE DOXEPIN FORMULATIONS, INCLUDING BUCCAL, SUBLINGUAL AND FASTMELT FORMULATIONS, AND USES OF THE SAME TO TREAT INSOMNIA	JP	Pending (Going Abandoned)	2009-511110	5/18/2007		
DOXEPIN ISOMERS AND ISOMERIC MIXTURES AND METHODS OF USING THE SAME TO TREAT SLEEP DISORDERS	US	Pending	13/692,415	12/03/2012		
DOXEPIN TRANS ISOMERS AND ISOMERIC MIXTURES AND METHODS OF USING THE SAME TO TREAT SLEEP DISORDERS	US	Pending	13/692,715	12/03/2012		

#### Licensed Patents

Title	Country	Status	Serial No.	Filing Date	Patent No.	Issue Date
TREATMENT FOR INSOMNIA	US	Issued / Reexamined	08/034,252	3/22/1993	5,502,047	3/26/1996
TREATMENT FOR INSOMNIA	US	Issued	90/006,950	2/25/2004	5,502,047 C1	4/4/2006
TREATMENT FOR INSOMNIA	US	Issued	08/623,892	3/25/1996	5,643,897	7/1/1997



TREATMENT OF TRANSIENT AND SHORT TERM INSOMNIA	US	Issued	09/506,348	2/17/2000	6,211,229	4/3/2001
TREATMENT FOR INSOMNIA	US	Issued	09/586,706	6/5/2000	6,344,487	2/5/2002