

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT2738870

SUBMISSION TYPE:	NEW ASSIGNMENT														
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST IN PATENT RIGHTS REEL/FRAME 029567/0694														
CONVEYING PARTY DATA															
<table border="1"> <thead> <tr> <th>Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>MIDCAP FUNDING IV, LLC (SUCCESSOR IN INTEREST TO MIDCAP FUNDING V, LLC)</td> <td>02/21/2014</td> </tr> </tbody> </table>		Name	Execution Date	MIDCAP FUNDING IV, LLC (SUCCESSOR IN INTEREST TO MIDCAP FUNDING V, LLC)	02/21/2014										
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<table border="1"> <tr> <td>Name:</td> <td>PERNIX THERAPEUTICS, LLC</td> </tr> <tr> <td>Street Address:</td> <td>135 INDUSTRIAL BOULEVARD</td> </tr> <tr> <td>City:</td> <td>MADISON</td> </tr> <tr> <td>State/Country:</td> <td>MISSISSIPPI</td> </tr> <tr> <td>Postal Code:</td> <td>39110</td> </tr> </table>		Name:	PERNIX THERAPEUTICS, LLC	Street Address:	135 INDUSTRIAL BOULEVARD	City:	MADISON	State/Country:	MISSISSIPPI	Postal Code:	39110				
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PROPERTY NUMBERS Total: 6															
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Application Number:	61278889														
CORRESPONDENCE DATA															
Fax Number:	(800)494-7512														
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<i>Correspondence will be sent via US Mail when the email attempt is unsuccessful.</i>															
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PATENT

ATTORNEY DOCKET NUMBER:	F148582
NAME OF SUBMITTER:	MARIEE PILKINGTON
Signature:	/Mariee Pilkington/
Date:	02/24/2014

Total Attachments: 8

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PATENT RECORDATION COVER SHEET

SCHEDULE 2

to

RELEASE OF SECURITY INTEREST IN PATENT RIGHTS

C. Pernix Therapeutics, LLC

Patents

Country	Patent	Patent/Application No.	Issue/Filing Date
U.S.	Process for preparing tannate liquid and semi-solid dosage forms	6869618 (10/119285)	03/22/2005 (04/09/2002)
U.S.	Process for preparing tannate liquid and semi-solid dosage forms	7094429 (10/921438)	08/22/2006 (08/19/2004)
U.S.	Process for preparing tannate tablet, capsule or other solid dosage forms	7273623 (10/269027)	09/25/2007 (10/10/2002)
U.S.	Tannate compositions, methods of making and methods of use	8012506 (11/501649)	09/06/2011 (08/09/2006)
U.S.	Tannate compositions, methods of making and methods of use	8257746 (13/192655)	09/04/2012 (07/28/2011)
U.S.	[Provisional application]	61/278889	(not stated)

Patent Licenses

Licensor/Party	Description	Patent/Application No.	Issue/Filing Date
Shionogi Pharma, Inc.	Sublicense Agreement dated 03/23/2010	5599557	02/04/1997
MRG Development Services, LLC	License and Development Agreement dated 06/25/2012	[not stated]	[not stated]

RELEASE OF SECURITY INTEREST IN PATENT RIGHTS

This **RELEASE OF SECURITY INTEREST IN PATENT RIGHTS**, dated as of February 21, 2014 (this "Release"), is made by **MIDCAP FUNDING IV, LLC**, as successor in interest to MidCap Funding V, LLC (the "Assignor"), in its capacity as administrative agent under that certain Amended and Restated Credit Agreement dated as of May 8, 2013 (as amended, amended and restated, extended, supplemented or otherwise modified from time to time, including, without limiting the foregoing, by that certain Amendment No. 1 to Amended and Restated Credit Agreement dated as of the date hereof, the "Credit Agreement"), in favor of the parties set forth on Schedule 1 hereto (the "Assignees"). Capitalized terms used but not defined herein shall have the meanings set forth in the Credit Agreement.

W I T N E S S E T H:

WHEREAS, the Assignor and the Assignees are parties to (i) that certain Security and Pledge Agreement, dated as of December 31, 2012 (as amended, restated, supplemented or otherwise modified prior to the date hereof) and (ii) that certain Patent Security Agreement, dated as of December 31, 2012 (the "Patent Security Agreement");

WHEREAS, pursuant to the Patent Security Agreement, the Assignees pledged and granted to the Assignor a continuing security interest in and Lien on the Assignees' right, title and interest in and to the items set forth on Schedule 2 hereto (collectively, the "Patent Collateral");

WHEREAS, the Patent Security Agreement was recorded with the United States Patent and Trademark Office ("USPTO") as follows: in respect of Cypress Pharmaceuticals, Inc. on January 3, 2013, on Reel 029569, Frame 0012; in respect of Gaine, Inc. on January 3, 2013, on Reel 029567, Frame 0906; in respect of Pernix Therapeutics, LLC on January 3, 2013, on Reel 029567, Frame 0694; and in respect of Respicopea Inc. on January 3, 2013, on Reel 029567, Frame 0861.

WHEREAS, the Assignees desire that the Assignor terminate and release its continuing security interest in and Lien on the Assignees' right, title and interest in and to the Patent Collateral.

NOW THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

SECTION 1. *Release of Security Interest in Patent Collateral.* The Assignor hereby terminates, releases and discharges fully, without representation, warranty or recourse of any kind, its continuing security interest in and Lien on the Assignees' right, title and interest in and to the Patent Collateral, and reassigns and transfers to the Assignees all right, title and interest that the Assignor may have in the Patent Collateral.


SECTION 2. *Recordation of Release.* The Assignor hereby authorizes the Assignees, or the Assignees' authorized representative or representatives, as the case may be, to record this Release with the USPTO. The Assignor further authorizes and requests that the Commissioner for Patents in the USPTO, and any other necessary United States government officer, record this Release; it being understood that such recordation shall be at the Assignees' sole expense.

SECTION 3. *Governing Law.* This Release shall be governed by and construed in accordance with the laws of the State of New York.

[*Signature Page Follows*]

IN WITNESS WHEREOF, this Release of Security Interest in Patent Rights has been duly executed as of the date first written above.

MIDCAP FUNDING IV, LLC, as
Assignor

By: 
Name: Brett Robinson
Title: Managing Director

[Signature Page to Patent Release]

PATENT
REEL: 032330 FRAME: 0042

SCHEDULE 1
to
RELEASE OF SECURITY INTEREST IN PATENT RIGHTS
ASSIGNEES

Cypress Pharmaceuticals, Inc.
Gaine, Inc.
Hawthorn Pharmaceuticals, Inc.
Pernix Therapeutics, LLC
Respicopea Inc.

SCHEDULE 2
to
RELEASE OF SECURITY INTEREST IN PATENT RIGHTS

A. Cypress Pharmaceuticals, Inc.

Patents

Country	Patent	Patent/Application No.	Issue/Filing Date
U.S.	Hyaluronate compositions	8466128 (12/022095)	06/18/2013 (01/29/2008)
U.S.	Phosphate-binding chitosan and uses thereof	7943597 (12/099433)	05/17/2011 (04/08/2008)
U.S.	Phosphate-binding chitosan and uses thereof	12/436680 (Publication No. 20090253652)	05/06/2009
U.S.	Phosphate-binding chitosan and uses thereof	13/544775 (Publication No. 20120277183)	07/09/2012
U.S.	Phosphate-binding magnesium salts and uses thereof	8247000 (12/422012)	08/21/2012 (04/10/2009)
U.S.	Phosphate-binding magnesium salts and uses thereof	8236358 (13/445771)	08/07/2012 (04/12/2012)
U.S.	Phosphate-binding magnesium salts and uses thereof	13/544949 (Publication No. 20120282352)	07/09/2012
U.S.	Crystal polymorph of magnesium glycinate dehydrate and process for its preparation	61/731,885	11/30/2012

Patent Licenses

Licensor/Party	Description	Patent/Application No.	Issue/Filing Date
University of Pittsburgh	Monoclonal antibodies for CSPG4 for the diagnosis and treatment of basal breast carcinoma	13/119428	09/18/2009
University of Pittsburgh	Fully human antibodies to high molecular weight-melanoma associated antigen and uses thereof	13/123489	04/08/2011
University of Pittsburgh	Monoclonal antibodies to human high molecular weight-melanoma associated antigen	7550568 (12/039282)	06/23/2009 (02/28/2008)
University of	Treatment of MCI and Alzheimer's	12/779345	05/13/2010

Kentucky Research Foundation	Disease	(Publication No. 20100292281)	
University of Kentucky Research Foundation	Treatment of MCI and Alzheimer's Disease	12/949724 (Publication No. 20110118299)	11/18/2010

B. Hawthorn Pharmaceuticals, Inc.

Patent Licenses

Licensor/Party	Description	Patent/Application No.	Issue/Filing Date
University of Kentucky Research Foundation	Treatment of MCI and Alzheimer's Disease	12/779345 (Publication No. 20100292281)	05/13/2010
University of Kentucky Research Foundation	Treatment of MCI and Alzheimer's Disease	12/949724 (Publication No. 20110118299)	11/18/2010

C. Pernix Therapeutics, LLC

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U.S.	Process for preparing tannate liquid and semi-solid dosage forms	6869618 (10/119285)	03/22/2005 (04/09/2002)
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MRG Development Services, LLC	License and Development Agreement dated 06/25/2012	[not stated]	[not stated]

D. Respicopea Inc.

Patents

Country	Patent	Patent/Application No.	Issue/Filing Date
U.S.	Drug combinations and uses in treating a coughing condition	13/446217 (Publication No. 20120252824)	04/13/2012

Patent Licenses

Licensor/Party	Description	Patent/Application No.	Issue/Filing Date
Gaine, Inc.	Antitussive compositions	6348470	02/19/2002

E. Gaine, Inc.

Patents

Country	Patent	Patent/Application No.	Issue/Filing Date
U.S.	Antitussive compositions	6348470 (09/381841)	02/19/2002 (09/24/1999)