

## PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1  
 Stylesheet Version v1.2

EPAS ID: PAT3453916

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	RELEASE OF SECURITY INTEREST

**CONVEYING PARTY DATA**

Name	Execution Date
ROYAL BANK OF CANADA, AS ADMINISTRATIVE AGENT	07/07/2015

**RECEIVING PARTY DATA**

<b>Name:</b>	TRIUS THERAPEUTICS, INC.
<b>Street Address:</b>	65 HAYDEN AVENUE
<b>City:</b>	LEXINGTON
<b>State/Country:</b>	MASSACHUSETTS
<b>Postal Code:</b>	02421
<b>Name:</b>	OPTIMER PHARMACEUTICALS, INC.
<b>Street Address:</b>	101 HUDSON STREET
<b>City:</b>	JERSEY CITY
<b>State/Country:</b>	NEW JERSEY
<b>Postal Code:</b>	07302

**PROPERTY NUMBERS Total: 42**

Property Type	Number
Application Number:	13863216
Application Number:	12577089
Patent Number:	8420676
Patent Number:	7816379
Patent Number:	8426389
Application Number:	13867951
Application Number:	12787293
Application Number:	13394985
Application Number:	13496188
Patent Number:	8461188
Application Number:	13911990
Application Number:	61700159
Application Number:	61780780
Application Number:	61887571
Application Number:	61876688

PATENT

Property Type	Number
Application Number:	13151683
Application Number:	12027950
Application Number:	11636379
Patent Number:	7910337
Patent Number:	8298543
Patent Number:	7906489
Application Number:	12551056
Application Number:	13838634
Patent Number:	7378508
Patent Number:	7863249
Application Number:	12397686
Application Number:	12523790
Application Number:	12552919
Application Number:	13839299
Application Number:	12324907
Patent Number:	8445654
Application Number:	13832869
Application Number:	13457216
Application Number:	61716454
Application Number:	13698958
Application Number:	13698963
Application Number:	61552383
Application Number:	13723881
Patent Number:	7507564
Application Number:	13494887
Application Number:	13416768
Application Number:	61611965

#### **CORRESPONDENCE DATA**

**Fax Number:** (212)246-8959

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.*

**Phone:** 2127083460

**Email:** slebson@ladas.com

**Correspondent Name:** LADAS & PARRY LLP

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**Address Line 4:** NEW YORK, NEW YORK 10018

<b>ATTORNEY DOCKET NUMBER:</b>	NPA150323:753
<b>NAME OF SUBMITTER:</b>	SCOTT J. LEBSON

<b>SIGNATURE:</b>	/sjl/
<b>DATE SIGNED:</b>	07/24/2015
<b>Total Attachments: 8</b> source=ReleaseofSecurityInterest#page1.tif source=ReleaseofSecurityInterest#page2.tif source=ReleaseofSecurityInterest#page3.tif source=ReleaseofSecurityInterest#page4.tif source=ReleaseofSecurityInterest#page5.tif source=ReleaseofSecurityInterest#page6.tif source=ReleaseofSecurityInterest#page7.tif source=ReleaseofSecurityInterest#page8.tif	

TERMINATION OF SECURITY INTEREST IN PATENTS AND PATENT APPLICATIONS

This Termination of Security Interest in Patents and Patent Applications is made as of July 7, 2015 by Royal Bank of Canada, as Administrative Agent (the “**Secured Party**”).

WHEREAS, Merck Sharp & Dohme Corp. (the “**Company**”) owns the indicated patents and patent applications listed on Exhibit A attached hereto (“**Listed Patents and Patent Applications**”) as assignee from each of Optimer Pharmaceuticals, Inc. (“**Optimer**”) and Trius Therapeutics Inc. (“**Trius**” and, together with Optimer, the “**Grantors**”), which patents and patent applications are registered in the United States Patent and Trademark Office (the “**Office**”); and

WHEREAS, each Grantor has granted to the Secured Party, as Administrative Agent (as defined in the Patent Security Agreement defined below) a security interest in and lien upon certain patents and patent applications, including but not limited to the Listed Patents and Patent Applications, the registrations thereof and related rights all as described in that certain Patent Security Agreement dated as of November 12, 2013 and recorded on November 13, 2013 with the Office at Reel 031628, Frame 0850 (“**Patent Security Agreement**”); and

WHEREAS, the Secured Party has at the Borrower’s request agreed to release its security interest in all of the Company’s patents and patent applications, including the Listed Patents and Patent Applications, and the registrations thereof and the related rights therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Secured Party hereby releases and reassigns its security interest in all of the Company’s patents and patent applications previously granted to the Secured Party including the Listed Patents and Patent Applications, and the registrations thereof and the related rights therein and to any other rights it might have arising out of the Patent Security Agreement; and authorizes and requests the Commissioner of Patents and Trademarks of the United States of America to note and record the existence of the release hereby given.

ROYAL BANK OF CANADA, as Secured  
Party

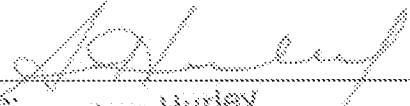
By:   
Name: Ann Hurley  
Title: Manager, Agency

EXHIBIT A  
TO  
RELEASE OF SECURITY INTEREST IN PATENTS AND PATENT APPLICATIONS

**PATENTS AND PATENT APPLICATIONS**

**PATENTS AND PATENT APPLICATIONS**

<b>LOAN PARTY</b>	<b>PATENT TITLE</b>	<b>APPLICATION NUMBER</b>	<b>PATENT NUMBER</b>
Trius Therapeutics, Inc. <sup>1</sup>	NOVEL OXAZOLIDINONE DERIVATIVES	13/863216	
Trius Therapeutics, Inc. <sup>2</sup>	OXAZOLIDINONE DERIVATIVES	12/211655	8420676
Trius Therapeutics, Inc. <sup>3</sup>	NOVEL OXAZOLIDINONE DERIVATIVES	10/596412	7816379
Trius Therapeutics, Inc.	METHODS FOR PREPARING OXAZOLIDINONES AND COMPOSITIONS CONTAINING THEM	12/577089	
Trius Therapeutics, Inc.	CRYSTALLINE FORM OF R)-3-(4-(2-(2-METHYLTETRAZOL-5-YL)PYRIDIN-5-YL)-3-FLUOROPHENYL)-5-HYDROXYMETHYL OXAZOLIDIN-2-ONE DIHYDROGEN PHOSPHATE	12/699864	8426389

<sup>1</sup>. Exclusively licensed to Trius Therapeutics, Inc. by Dong-A ST Co., Ltd.

<sup>2</sup>. Exclusively licensed to Trius Therapeutics, Inc. by Dong-A ST Co., Ltd.

<sup>3</sup>. Exclusively licensed to Trius Therapeutics, Inc. by Dong-A ST Co., Ltd.

<b>LOAN PARTY</b>	<b>PATENT TITLE</b>	<b>APPLICATION NUMBER</b>	<b>PATENT NUMBER</b>
Trius Therapeutics, Inc.	CRYSTALLINE FORM OF R)-3-(4-(2-(2-METHYLTETRAZOL-5-YL)PYRIDIN-5-YL)-3-FLUOROPHENYL)-5-HYDROXYMETHYL OXAZOLIDIN-2-ONE DIHYDROGEN PHOSPHATE	13/867951	
Trius Therapeutics, Inc.	OXAZOLIDINONE CONTAINING DIMER COMPOUNDS, COMPOSITIONS AND METHODS TO MAKE AND USE	12/787293	
Trius Therapeutics, Inc.	GYRASE INHIBITORS	13/394985	
Trius Therapeutics, Inc. <sup>4</sup>	TRICYCLIC GYRASE INHIBITORS	13/496188	
Trius Therapeutics, Inc.	THERAPEUTIC COMBINATION OF DAPTOMYCIN AND PROTEIN SYNTHESIS INHIBITOR ANTIBIOTIC, AND METHODS OF USE	13/655704	8461188
Trius Therapeutics, Inc.	THERAPEUTIC COMBINATION OF DAPTOMYCIN AND PROTEIN SYNTHESIS INHIBITOR ANTIBIOTIC, AND METHODS OF USE	13/911990	

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<sup>4</sup>. Exclusively licensed to Trius Therapeutics, Inc. by Lawrence Livermore National Security, LLC

<b>LOAN PARTY</b>	<b>PATENT TITLE</b>	<b>APPLICATION NUMBER</b>	<b>PATENT NUMBER</b>
Trius Therapeutics, Inc.	TRICYCLIC GYRASE INHIBITORS	61/700159 PCT/US2013/059310	
Trius Therapeutics, Inc.	INDAZOLE GYRASE INHIBITORS	61/780780	
Trius Therapeutics, Inc.	METHODS OF TREATING SUBJECTS WITH RENAL IMPAIRMENT USING TEDIZOLID	61/887571	
Trius Therapeutics, Inc.	TRICYCLIC GYRASE INHIBITORS	61/876688	
Trius Therapeutics, Inc.	DIHYDROFOLATE REDUCTASE INHIBITORS	13/151683	
Trius Therapeutics, Inc.	ANTIMICROBIAL COMPOSITIONS AND METHODS OF USE	12/027950	
Trius Therapeutics, Inc.	IDENTIFICATION AND APPLICATION OF ANTIBIOTIC SYNERGY	11/636379	8021665
Trius Therapeutics, Inc.	METHOD FOR IDENTIFYING DRUG-SENSITIZING ANTISENSE DNA FRAGMENTS AND USE THEREOF	11/636394	7910337
Trius Therapeutics, Inc.	IDENTIFICATION AND APPLICATION OF ANTIBIOTIC SYNERGY	13/102856	8298543
Optimer Pharmaceuticals, Inc.	18-MEMBERED MACROCYCLES AND ANALOGS THEREOF	11/882,219	7906489
Optimer Pharmaceuticals, Inc.	18-MEMBERED MACROCYCLES AND ANALOGS THEREOF	12/551,056	

<b>LOAN PARTY</b>	<b>PATENT TITLE</b>	<b>APPLICATION NUMBER</b>	<b>PATENT NUMBER</b>
Optimer Pharmaceuticals, Inc.	18-MEMBERED MACROCYCLES AND ANALOGS THEREOF	13/838,634	
Optimer Pharmaceuticals, Inc.	MACROLIDE POLYMORPHS, COMPOSITIONS COMPRISING SUCH POLYMORPHS, AND METHODS OF USE AND MANUFACTURE THEREOF	11/831,886	7378508
Optimer Pharmaceuticals, Inc.	MACROLIDE POLYMORPHS, COMPOSITIONS COMPRISING SUCH POLYMORPHS, AND METHODS OF USE AND MANUFACTURE THEREOF	12/101,552	7863249
Optimer Pharmaceuticals, Inc.	MACROLIDE POLYMORPHS, COMPOSITIONS COMPRISING SUCH POLYMORPHS, AND METHODS OF USE AND MANUFACTURE THEREOF	12/397,686	
Optimer Pharmaceuticals, Inc.	MACROLIDE POLYMORPHS, COMPOSITIONS COMPRISING SUCH POLYMORPHS, AND METHODS OF USE AND MANUFACTURE THEREOF	12/523,790	

<b>LOAN PARTY</b>	<b>PATENT TITLE</b>	<b>APPLICATION NUMBER</b>	<b>PATENT NUMBER</b>
Optimer Pharmaceuticals, Inc.	MACROLIDE POLYMORPHS, COMPOSITIONS COMPRISING SUCH POLYMORPHS, AND METHODS OF USE AND MANUFACTURE THEREOF	12/552,919	
Optimer Pharmaceuticals, Inc.	MACROLIDE POLYMORPHS, COMPOSITIONS COMPRISING SUCH POLYMORPHS, AND METHODS OF USE AND MANUFACTURE THEREOF	13/839,299	
Optimer Pharmaceuticals, Inc.	ANTIBIOTIC MACROCYCLE COMPOUNDS AND METHODS OF MANUFACTURE AND USE THEREOF	12/324,907	8044030
Optimer Pharmaceuticals, Inc.	ANTIBIOTIC MACROCYCLE COMPOUNDS AND METHODS OF MANUFACTURE AND USE THEREOF	13/280,148	8445654
Optimer Pharmaceuticals, Inc.	ANTIBIOTIC MACROCYCLE COMPOUNDS AND METHODS OF MANUFACTURE AND USE THEREOF	13/832,869	
Optimer Pharmaceuticals, Inc.	TREATMENT OF DISEASES ASSOCIATED WITH THE USE OF ANTIBIOTICS	13/457,216	

<b>LOAN PARTY</b>	<b>PATENT TITLE</b>	<b>APPLICATION NUMBER</b>	<b>PATENT NUMBER</b>
Optimer Pharmaceuticals, Inc.	ANTIBIOTIC COMPOSITIONS FOR TREATING INFLAMMATION	61/716,454	
Optimer Pharmaceuticals, Inc.	METHODS OF TREATING C. DIFFICILE INFECTION IN PATIENTS UNDERGOING ANTIBIOTIC THERAPY	13/698,958	
Optimer Pharmaceuticals, Inc.	METHODS OF TREATING RECURRING BACTERIAL INFECTION	13/698,963	
Optimer Pharmaceuticals, Inc.	ANTI-INFLAMMATORY THERAPY WITH FIDAXOMICIN	61/552,383	
Optimer Pharmaceuticals, Inc.	METHOD OF TREATING CLOSTRIDIUM DIFFICILE-ASSOCIATED DIARRHEA	13/723,881	
Optimer Pharmaceuticals, Inc.	TIACUMICIN PRODUCTION	10/520,863	7507564
Optimer Pharmaceuticals, Inc.	TIACUMICIN PRODUCTION	13/494,887	
Optimer Pharmaceuticals, Inc.	COMPOSITIONS OF STABLE TIACUMICINS	13/416,768	
Optimer Pharmaceuticals, Inc.	PREVENTION OF CLOSTRIDIUM DIFFICILE INFECTION IN HIGH RISK PATIENTS	61/611,965	