

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

EPAS ID: PAT3598590

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST
CONVEYING PARTY DATA	
Name	Execution Date
SILVERGATE PHARMACEUTICALS, INC.	11/02/2015
RECEIVING PARTY DATA	
Name:	ESCALATE CAPITAL PARTNERS SBIC III, LP
Street Address:	300 WEST SIXTH STREET, SUITE 2230
City:	AUSTIN
State/Country:	TEXAS
Postal Code:	78701
PROPERTY NUMBERS Total: 3	
Property Type	Number
Patent Number:	8778366
Patent Number:	8568747
Application Number:	14433502
CORRESPONDENCE DATA	
Fax Number:	(214)932-6499
<i>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.</i>	
Phone:	214-932-6400
Email:	sshernandez@mcguirewoods.com
Correspondent Name:	NAM H. HUYNH
Address Line 1:	2000 MCKINNEY AVENUE, SUITE 1400
Address Line 4:	DALLAS, TEXAS 75201
ATTORNEY DOCKET NUMBER:	2067509-0042
NAME OF SUBMITTER:	NAM H. HUYNH
SIGNATURE:	/Nam H. Huynh/
DATE SIGNED:	11/03/2015
Total Attachments: 6	
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INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement is entered into as of November 2, 2015 by and between SILVERGATE PHARMACEUTICALS, INC., a Delaware corporation (“*Borrower*”) and ESCALATE CAPITAL PARTNERS SBIC III, LP, a Delaware limited partnership (“*Lender*”).

RECITALS

Lender has agreed to make a certain advance of money and to extend certain financial accommodations to Borrower under that certain Loan and Security Agreement by and among Lender, Borrower and Argentum Holdings, LLC, a Delaware limited liability company, dated of even date herewith (as amended, restated, or otherwise modified from time to time, the “*Loan Agreement*”). Capitalized terms used herein are used as defined in the Loan Agreement. Pursuant to the terms of the Loan Agreement, Borrower has granted to Lender a security interest in its personal property.

NOW, THEREFORE, Borrower agrees as follows:

AGREEMENT

To secure its obligations under the Loan Agreement and the Transaction Documents between Borrower and Lender, Borrower grants to Lender a security interest in all of Borrower’s right, title and interest in, its Intellectual Property (including without limitation those Copyrights, Patents and Trademarks listed on Schedules A, B, and C hereto) and all proceeds thereof (such as, by way of example but not by way of limitation, license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, all rights corresponding thereto throughout the world and all re-issues, divisions continuations, renewals, extensions and continuations-in-part thereof. Borrower represents and warrants that Schedules A, B, and C attached hereto set forth any and all intellectual property rights in connection to which Borrower has registered or filed an application with either the United States Patent and Trademark Office or the United States Copyright Office or any other agency of any state or country responsible for the registration of any patent, trademark, copyright, or similar protection, as applicable. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute the same instrument.

[Signature pages follow]


IN WITNESS WHEREOF, the parties have caused this Intellectual Property Security Agreement to be duly executed by their respective officers thereunto duly authorized as of the first date written above.

Address of Borrower:

6251 Greenwood Plaza Blvd., Suite 101
Greenwood Village, CO 80111

BORROWER:

SILVERGATE PHARMACEUTICALS, INC.,
a Delaware corporation

By: 
Name: Barry Barnard
Title: CFO

[Signature Page to Intellectual Property Security Agreement - Silvergate]

PATENT
REEL: 036945 FRAME: 0864


Address of Lender:

300 West Sixth Street, Suite 2230
Austin, TX 78701

LENDER:

**ESCALATE CAPITAL PARTNERS SBIC III,
LP**, a Delaware limited partnership

By: Escalate SBIC Capital Management III, LLC,
its general partner

By: 

Name: William A. Schell

Title: Manager

[Signature Page to Intellectual Property Security Agreement - Silvergate]

SCHEDULE B
Patents

	SERIAL NO.	FILING DATE	PUBL. NO.	PUBL. DATE	PATENT NO.	ISSUE DATE
Enalapril compositions	13/914,452	06/10/2013	2014/100260	04/10/2014	8,778,366	07/15/2014
Enalapril compositions	13/670,355	11/06/2012			8,568,747	10/29/2013
Enalapril compositions	14/433,502	04/03/2015	2015/0258027			

FOREIGN PUBLISHED/PATENT APPLICATION(S)

COUNTRY	SERIAL NO.	FILING DATE	PUBL. NO.	PUBL. DATE	PATENT NO.	ISSUE DATE
EUROPE	EP20130844343	05/05/2015	EP 2903690	08/12/2015		
CANADA	CA 2887379	-04/02/15	CA 2887379	04/10/2014		
BRAZIL	1120150075924	04/06/2015				

SCHEDULE C
Trademarks

WORD MARK	SERIAL NO	FILING DATE	REG. NO.	REG. DATE
SILVERGATE	85/135,713	09/22/2010	4564423	07/08/2014