

PATENT ASSIGNMENT COVER SHEET

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	FIRST SUPPLEMENT TO INTELLECTUAL PROPERTY SECURITY AGREEMENT
CONVEYING PARTY DATA	
Name	Execution Date
NABRIVA THERAPEUTICS GMBH	03/18/2020
RECEIVING PARTY DATA	
Name:	HERCULES CAPITAL, INC.
Street Address:	400 HAMILTON AVENUE, SUITE 310
City:	PALO ALTO
State/Country:	CALIFORNIA
Postal Code:	94301
PROPERTY NUMBERS Total: 2	
Property Type	Number
Application Number:	16277143
Application Number:	16482809
CORRESPONDENCE DATA	
Fax Number:	(714)755-8290
<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:	7145401235
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Correspondent Name:	LATHAM & WATKINS LLP
Address Line 1:	650 TOWN CENTER DRIVE, SUITE 2000
Address Line 4:	COSTA MESA, CALIFORNIA 92626
ATTORNEY DOCKET NUMBER:	054809-0039
NAME OF SUBMITTER:	ANNA T KWAN
SIGNATURE:	/atk/
DATE SIGNED:	03/20/2020
Total Attachments: 4	
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**FIRST SUPPLEMENT TO
INTELLECTUAL PROPERTY SECURITY AGREEMENT**

This First Supplement to Intellectual Property Security Agreement (this “*Supplement*”) is made as of March 18, 2020 by and between Nabriva Therapeutics GmbH, a limited liability company (Gesellschaft mit beschränkter Haftung) incorporated under the laws of the Republic of Austria, having its seat in Vienna and its registered address at Leberstraße 20, 1110 Vienna, Austria and registered with the companies’ register (Firmenbuch) of the commercial court of Vienna (Handelsgericht Wien) under registration number FN262261 Y (“*Nabriva Austria*”; as the “*Grantor*”) and Hercules Capital, Inc., a Maryland corporation, in its capacity as administrative agent and collateral agent for itself and Lender (in such capacity, together with its successors and assigns in such capacity, “*Agent*”)

WHEREAS, Nabriva Austria and certain other signatories party thereto as grantors executed and delivered an Intellectual Property Security Agreement dated December 20, 2018 (as amended of record from time to time hereinafter, the “*IP Agreement*”) in favor of Agent pursuant to which Grantor pledged, assigned and granted a security interest in certain Intellectual Property Collateral, which was recorded with (i) the Patent division of the United States Patent and Trademark Office on December 20, 2018 at Reel 047973, Frame 0110, and (ii) the Trademark division of the United States Patent and Trademark Office on December 20, 2018 at Reel 6561, Frame 0355.

WHEREAS, the Grantor has developed additional patents and trademarks, and desires to hereby confirm the pledge of, and the grant of a security interest in, such additional intellectual property in favor of Bank.

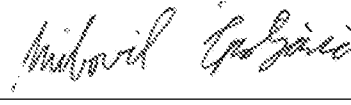
NOW, THEREFORE, in consideration of the mutual covenants herein contained and benefits to be derived herefrom, it is hereby agreed as follows:

1. Definitions. All capitalized terms herein and not otherwise defined shall have the same meaning herein as in the IP Agreement.
2. Supplement to Exhibit B. Exhibit B to the IP Agreement is hereby supplemented, but not replaced, by Exhibit B-1 annexed hereto.
3. Miscellaneous:
 - a. Except as provided herein, all terms and conditions of the IP Agreement remain in full force and effect. The Grantor hereby ratifies, confirms and reaffirms all of the representations, warranties and covenants contained therein.
 - b. This Supplement covers the entire understanding of the parties with respect to the matters set forth herein and supersedes all prior discussions and negotiations hereon.

[Signature page follows]

IN WITNESS WHEREOF, the undersigned has executed this Supplement as of the date first written above.

NABRIVA THERAPEUTICS GMBH

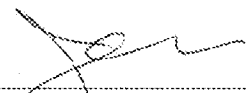
By: 

Name: Mihovil Spoljaric

Title: Managing Director

AGENT:

HERCULES CAPITAL, INC., a Maryland
corporation

By: 
Name: Jennifer Choe
Title: Associate General Counsel

[Signature page to First Supplement to Intellectual Property Security Agreement]

EXHIBIT B-1

Patents

Country	Filing Date	Application Number	Status
US	03/19/2008	16/277,143	Pending
US	09/02/2018	16/482,809	Pending