

Conv.

07-12-2001



101774608

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New

Resubmission (Non-Recordation)
Document ID #

Correction of PTO Error
Reel # Frame #

Corrective Document
Reel # Frame #

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger
Effective Date
Month Day Year

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties

Execution Date
Month Day Year

Name

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached.

Corporation Association

Other

Citizenship/State of Incorporation/Organization

(Designation must be a separate document from Assignment.)

07/11/2001 BY:RME 00000189 500675 73352974

FOR OFFICE USE ONLY

01 FC:481 40.00 CH

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

PAUL A. JUERGENSEN

JUNE 27, 2001

Name of Person Signing

Signature

Date Signed

01-13-1997



103335667

MPU
1/13/97

481-40 482-600

attached original documents or copy thereof

To the Honorable Commissioner of

1. Name of conveying party(ies):

MURO PHARMACEUTICAL, INC.
890 East Street

- Individuals
- Association
- General Partnership
- Limited Partnership
- Corporate-State - Massachusetts
- Other

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other

Execution Date: December 30, 1996

2. Name and address of receiving party(ies):

Name: THE CHASE MANHATTAN BANK

Internal Address:

Street Address: 270 Park Avenue

City: New York State NY ZIP 10017

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other Bank

If assignee is not domiciled in the United States, a domestic representative designation is attached: yes no
(Designation must be a separate document from assignment) Additional name(s) & address(es) attached? yes no

4. Application number(s) or patent number(s):

A. Trademark Application No(s)

See Attached Listing

B. Trademark Registration No.(s)

See Attached Listing

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jonathan R. Harris, Esq.

Internal Address:

Edwards & Angell

Street Address: 101 Federal Street

City: Boston State MA ZIP 02110

6. Total number of applications and registrations involved

25

7. Total fee (37 CFR 3.41)..... \$240.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit Account Number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Andrea A. Jacobs

Name of Person Signing

Signature

January 10, 1997

Date

Total number of pages including cover sheet, attachments, and document 10

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK

PTO FORM 1594

REEL: 1542 FRAME: 0923

TRADEMARK
REEL: 002326 FRAME: 0911

SECTION A: TRADEMARK APPLICATION NO(S):

Marks with Pending Applications

<u>Marks</u>	<u>Serial No./Filing Date</u>	<u>Use</u>
GLYCO-NASAL	75-127,011 June 28, 1996	Preparation, namely, an anti-cholinergic (drying agent) in aerosol form to be sprayed into the nose
ASTHMA ABC's: ASTHMA. BREATHING, CONTROL.	75-101,597 May 7, 1996	Board game for educational purposes
GLYCO-SOLUTION	75,037,620 December 22, 1995	Preparation; namely, an anti-cholinergic (drying agent) in aerosol forms for children, to be used in inhalation therapy
TRI-NASAL	74-533,287 June 6, 1994	Preparation, namely a nasal steroid sprayed into the nose
MURO'S OPCON	73-352,974 March 4, 1982	Ophthalmic solution

TRADEMARK
REEL: 1542 FRAME: 0924

TRADEMARK
REEL: 002326 FRAME: 0912

SECTION 1: TRADEMARK REGISTRATION NO(S):

Marks with Federal Registration

<u>Marks</u>	<u>Registration No./Reg. Date</u>	<u>Use</u>
MURO	1,855,494 September 27, 1994	Full line of pharmaceuticals
INTRI NASAL	1,759,401 March 23, 1993	Preparations; namely, an anti-cholinergic (drying agent) in solution form to be sprayed into the nose
GLYCO-VENT	1,742,105 December 22, 1992	Preparation; namely, an anti-cholinergic (drying agent) in aerosol form to be used in an inhaler and sprayed into the mouth
GUAITAB	1,700,149 July 14, 1992	Preparation, for human use, in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis
BROMFED DM	1,638,857 March 26, 1991	Preparation, namely, cough syrup
IOTUSS	1,507,759 October 11, 1988	Preparation, namely, a cough suppressant
IOTUSS DM	1,507,758 October 11, 1988	Preparation, namely, a cough suppressant
PRELONE	1,460,596 October 13, 1987	Preparation, namely, natural and synthetic adrenocortical steroids
SALINEX	1,557,565 September 26, 1989	Preparation, namely, buffered isotonic, saline nasal solution
128	1,445,933 July 7, 1987	Hypertonic ophthalmic solution drug product

TRADEMARK
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TRADEMARK
REEL: 002326 FRAME: 0913

Page 2

OPCON-A	1,482,990 April 5, 1988	Ophthalmic solution prescription drug product
DUOLUBE	1,251,447 September 20, 1983	A sterile bland ophthalmic ointment containing white petrolatum and liquid petrolatum for human use at night for dry eyes
SULPHRIN	1,202,491 July 27, 1982	Ophthalmic preparation
GUAIFED-PD	1,460,594 October 13, 1987	Preparation, namely, an orally ingested respiratory decongestant and expectorant
BROMFED	1,295,621 September 18, 1984	A timed release pharmaceutical capsule for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis for temporary relief
LIQUID PRED	1,273,302 April 10, 1984	Preparation, namely, prednisone
BROMFED-PD	1,273,301 April 10, 1984	Preparation for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis
GUAIFED	1,251,453 September 20, 1983	Preparation for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis
MURCEL	1,555,432 September 12, 1989	Sterile ophthalmic solution
MUROCOLL	793,587 August 3, 1965	Medicinal eye drops

TRADEMARK
REEL: 1542 FRAME: 0926

TRADEMARK
REEL: 002326 FRAME: 0914

SECURITY AGREEMENT (TRADEMARKS)

WHEREAS, MURO PHARMACEUTICAL, INC., a Massachusetts corporation, with a principal place of business at 890 East Street, Tewksbury, MA 01876 (the "Company") and THE CHASE MANHATTAN BANK, with a place of business at 270 Park Avenue, New York, New York 10017 (the "Bank") have entered into a Loan and Security Agreement dated as of December 30, 1996 (the "Loan and Security Agreement"); and

WHEREAS, the Company is the owner and user of the trademarks listed on Schedule A hereto and identified in said Loan and Security Agreement (the "Trademarks"); and

WHEREAS, among the security interests granted by the Company to the Bank pursuant to the Loan and Security Agreement is a security interest in the Trademarks listed on Schedule A hereto, together with the goodwill of the business associated with and symbolized by such Trademarks; and

WHEREAS, the parties to the Loan and Security Agreement contemplate and intend that, if an Event of Default (as defined in the Loan and Security Agreement) shall occur and be continuing, the Bank shall have all rights of the Company in and to the Trademarks and the goodwill of the business of the Company associated with and symbolized by the Trademarks as may be necessary or proper in order to enable the Bank, as foreclosing secured party, to continue such business of the Company or, following such foreclosure, to transfer to a purchaser all such rights as may be necessary or proper to enable such purchaser to continue such business of the Company;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties reconfirm the terms of the Loan and Security Agreement, as if set forth fully herein, and acknowledge that the Bank has a security interest in the Trademarks listed on Schedule A hereto, together with the goodwill of the business associated with and symbolized by such Trademarks; as security for the Obligations (as defined in the Loan and Security Agreement), the Company hereby collaterally assigns to the Bank, and grants a security interest to the Bank in and to, all of the Company's right, title and interest in and to said Trademarks and the goodwill of the business associated therewith; the Company agrees that it will not sell or assign any of the Trademarks without the prior written consent of the Bank; and the Company and the Bank request that the Commissioner of Patents and Trademarks record this document with respect to the Trademarks.

The Company hereby appoints the Bank as the Company's attorney-in-fact (with full power of substitution and resubstitution) with the power and authority, after the occurrence and during the continuance of any Event of Default (as defined in the Loan and Security Agreement), to execute and deliver, in the name and on behalf of the Company, and to cause the recording of all such further assignments and other instruments as the Bank may deem necessary or desirable in order to carry out the intent of the Loan and Security Agreement and this Security Agreement (Trademarks). The Company agrees that all third parties may

TRADEMARK
REEL: 1542 FRAME: 0927

TRADEMARK
REEL: 002326 FRAME: 0915

**SCHEDULE A
TO
SECURITY AGREEMENT (TRADEMARKS)**

Marks with Federal Registration

<u>Marks</u>	<u>Registration No./Reg. Date</u>	<u>Use</u>
MURO	1,855,494 September 27, 1994	Full line of pharmaceuticals
INTRI NASAL	1,759,401 March 23, 1993	Preparations; namely, an anti-cholinergic (drying agent) in solution form to be sprayed into the nose
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BROMFED DM	1,638,857 March 26, 1991	Preparation, namely, cough syrup
IOTUSS	1,507,759 October 11, 1988	Preparation, namely, a cough suppressant
IOTUSS DM	1,507,758 October 11, 1988	Preparation, namely, a cough suppressant
PRELONE	1,460,596 October 13, 1987	Preparation, namely, natural and synthetic adrenocortical steroids
SALINEX	1,557,565 September 26, 1989	Preparation, namely, buffered, isotonic, saline nasal solution

TRADEMARK
REEL: 1542 FRAME: 0929

TRADEMARK
REEL: 002326 FRAME: 0916

128	1,445,933 July 7, 1987	Hypertonic ophthalmic solution drug product
OPCON-A	1,482,990 April 5, 1988	Ophthalmic solution prescription drug product
DUOLUBE	1,251,447 September 20, 1983	A sterile bland ophthalmic ointment containing white petrolatum and liquid petrolatum for human use at night for dry eyes
SULPHRIN	1,202,491 July 27, 1982	Ophthalmic preparation
GUAIFED-PD	1,460,594 October 13, 1987	Preparation, namely, an orally ingested respiratory decongestant and expectorant
BROMFED	1,295,621 September 18, 1984	A timed release pharmaceutical capsule for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis for temporary relief
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BROMFED-PD	1,273,301 April 10, 1984	Preparation for human use in the treatment of symptoms of the common cold, allergic rhinitis (hay fever), and sinusitis
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MUROCEL	1,555,432 September 12, 1989	Sterile ophthalmic solution

BOS, 45810/C5011 DCK

TRADEMARK
REEL: 1542 FRAME: 0930

TRADEMARK
REEL: 002326 FRAME: 0917

MUROCOLL

793,587
August 3, 1965

Medicinal eye drops

Marks with Pending Applications

<u>Marks</u>	<u>Serial No./Filing Date</u>	<u>Use</u>
GLYCO-NASAL	75-127,011 June 28, 1996	Preparation, namely, an anti-cholinergic (drying agent) in aerosol form to be sprayed into the nose
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GLYCO-SOLUTION	75,037,620 December 22, 1995	Preparation, namely, an anti-cholinergic (drying agent) in aerosol forms for children, to be used in inhalation therapy
TRI-NASAL	74-533,287 June 6, 1994	Preparation, namely a nasal steroid sprayed into the nose
MURO'S OPCON	73-352,974 March 4, 1982	Ophthalmic solution

BOS 45810/ZC501/DOC

RECORDED: 01/13/1997

TRADEMARK
REEL: 1542 FRAME: 0931

TRADEMARK
REEL: 002326 FRAME: 0918

SCHULTE ROTH & ZABEL LLP

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Writer's E-mail Address
paul.juergensen@srz.com

June 27, 2001

EXPRESS MAIL

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Re: Correction to Reel 1542/Frame 0923
Security Agreement (Trademarks)
Muro Pharmaceutical, Inc./The Chase Manhattan Bank
Our Ref.: 014914/0048

Dear Sir or Madam:

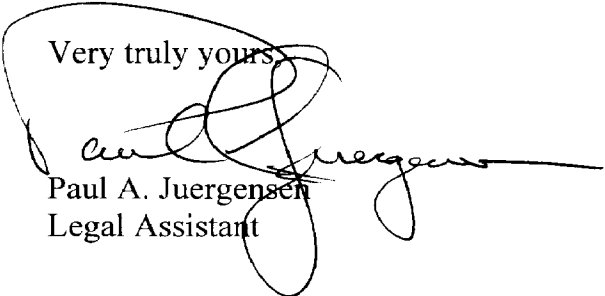
We enclose for recordation a Document Cover Sheet to correct the U.S. Patent and Trademark Office records concerning the above-referenced recordation. Please record the correction against the U.S. trademark filing identified in the accompanying Document Cover Sheet.

The document recorded at Reel 1542/Frame 0923-0931 was improperly recorded against Application Serial No. 73/352,974, in the name of Educational Communications, Inc., because of an error on the schedule. The above-referenced document should have been recorded against Application Serial No. 73/575,866 for the mark MURO'S OPCON.

We authorize the deduction from Schulte Roth & Zabel LLP's Deposit Account No. 500675 of \$40.00, plus any deficiencies therein, to cover recordation fees, and we enclose an extra copy of the Document Cover Sheet for this purpose.

We also enclose a self-addressed, postage pre-paid postcard which we request that you date stamp and return as evidence of your receipt of this filing.

Very truly yours,


Paul A. Juergensen
Legal Assistant

Enclosures

RECORDED: 06/28/2001

**TRADEMARK
REEL: 002326 FRAME: 0919**