

05-13-2002



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TO: The Commissioner of Patents and Trademarks: Please record.

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Submission Type

New

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Document ID#

5.2.02  
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Correction of PTO Error

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Conveyance Type

Assignment

Security

Merger

Change of Name

Other

License

Nunc Pro Tunc Assignment

Notice of Grant of Security Interest

Effective Date  
Month Day Year  
03/28/02

Conveying Party

Mark if additional names of conveying parties attached

Name: NeoSan Pharmaceuticals Inc.

Execution Date  
Month Day Year  
03/28/02

Formerly: [ ]

Individual  General Partnership  Limited Partnership  Corporation  Association

Other: [ ]

Citizenship/State of Incorporation/Organization: Delaware

Receiving Party

Mark if additional names of receiving parties attached

Name: Bank of America, N.A., as Administrative Agent

DBA/AKA/TA: [ ]

Composed of: [ ]

Address (line 1): One Independence Center

Address (line 2): 101 North Tryon Street, 15<sup>th</sup> Floor

Address (line 3): Charlotte, North Carolina, 28255  
City State/Country Zip Code

Individual  General Partnership  Limited Partnership  Corporation  Association

Other: National Banking Association

Citizenship/State of Incorporation/Organization: [ ]

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. (Designation must be a separate document from Assignment.)

OFFICE OF PUBLIC RECORDS  
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FINANCE SECTION

05/10/2002 DBYRHE 00000238 78112668

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01 FC:488 Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

**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.

Steven D. Thomas

Name of Person Signing

Signature

Date Signed

*April 23 2002*

**NOTICE**  
**OF**  
**GRANT OF SECURITY INTEREST**  
**IN**  
**TRADEMARKS**

United States Patent and Trademark Office

Gentlemen:

Please be advised that pursuant to the Security Agreement dated as of March 28, 2002 (the "Security Agreement") by and among the Obligors party thereto (each an "Obligor" and collectively, the "Obligors") and Bank of America, N.A., as Agent (the "Agent") for the Lenders referenced therein (the "Lenders"), the undersigned Obligor has granted a continuing security interest in and continuing lien upon, the trademarks and trademark applications shown below to the Agent for the ratable benefit of the Lenders:

TRADEMARKS

<u>Trademark No.</u>	Description of Trademark <u>Item</u>	Date of <u>Trademark</u>
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**See Exhibit A attached hereto and made a part hereof.**

Trademark Applications

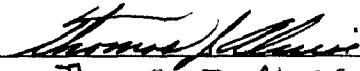
<u>Trademark Applications No.</u>	Description of Trademark <u>Applied For</u>	Date of Trademark <u>Applications</u>
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**See Exhibit A attached hereto and made a part hereof.**

The undersigned Obligor and the Agent, on behalf of the Lenders, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

**NeoSan Pharmaceuticals Inc.**

By:   
Name: Thomas J. Aluise  
Title: Treasurer

Acknowledged and Accepted:

BANK OF AMERICA, N.A., as Administrative Agent

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

The undersigned Obligor and the Agent, on behalf of the Lenders, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

**NeoSan Pharmaceuticals, Inc.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Acknowledged and Accepted:

BANK OF AMERICA, N.A., as Administrative Agent

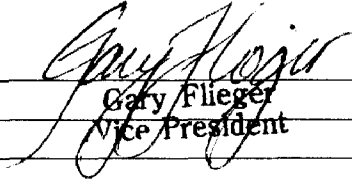
By:  \_\_\_\_\_  
Name: Gary Flieger  
Title: Vice President

EXHIBIT ARegistered Trademarks

<b>Trademark Name</b>	<b>Registration Number</b>	<b>Date</b>
M.V.I. – 12	1,179,782	December 1, 1981
M.V.I.	1,094,190	Registered June 27, 1978 Renewed June 27, 1998
Aquasol A	0,942,613	Registered September 12, 1972 ; Renewed September 12, 1992
Aquasol E	0,942,612	Registered September 12, 1972 ; Renewed September 12, 1992
BRETHINE	1,033,587	February 7, 1976
DARVON	0,664,975	June 29, 1958
DARVON-N	0,952,573	February 6, 1973
DARVOCET-N	0,949,683	January 2, 1973

Trademark Applications Pending

<b>Trademark Name</b>	<b>Pending Trademarks Application Number</b>	<b>Date</b>
BRANDS THAT MATTER MADE BETTER	78/112,668	March 5, 2002
RESTORES BALANCE – EVERY DAY!	78/112,671	March 5, 2002
AQUASOL	76/371,708	February 15, 2002