# OP \$215.00 254559

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM409077

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST

# **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
MIDCAP FINANCIAL TRUST, AS AGENT		11/22/2016	STATUTORY TRUST: DELAWARE

# **RECEIVING PARTY DATA**

Name:	PARNELL, INC.
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	Corporation: DELAWARE
Name:	PARNELL CORPORATE SERVICES U.S., INC.
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	Corporation: DELAWARE
Name:	PARNELL U.S. 1, INC.
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	Corporation: DELAWARE
Name:	VETERINARY INVESTIGATIVE SERVICES, INC.
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	Corporation: DELAWARE
Name:	PARNELL PHARMACEUTICALS HOLDINGS LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES

1	
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	PARNELL MANUFACTURING PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	PARNELL TECHNOLOGIES PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	PARNELL PHARMACEUTICALS PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	PARNELL TECHNOLOGIES NZ PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	AUSTRALIAN PHARMA SERVICES PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	PARNELL CORPORATE SERVICES PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
	TRADEMARK

Name:	PARNELL AUSTRALIA PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	PARNELL NORTH AMERICA PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Name:	PARNELL EUROPE PTY LTD
Street Address:	UNIT 4, CENTURY ESTATE, 475 GARDENERS ROAD
City:	ALEXANDRIA, NEW SOUTH WALES
State/Country:	AUSTRALIA
Postal Code:	2015
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA
Entity Type:	PROPRIETARY LIMITED COMPANY: AUSTRALIA

# **PROPERTY NUMBERS Total: 8**

Property Type	Number	Word Mark
Registration Number:	2545590	ESTROPLAN
Serial Number:	85608750	GONABREED
Serial Number:	86131238	GONADOPRO
Serial Number:	86422842	IKAM
Serial Number:	85770262	MYSYNCH
Serial Number:	86422844	PAW
Serial Number:	86027644	PROCEPT
Serial Number:	85836582	SYNCHRONIZATION PACK

# **CORRESPONDENCE DATA**

Fax Number:

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.

Email: ELIZABETH.BURKHARD@HKLAW.COM

Correspondent Name: HOLLAND & KNIGHT LLP

Address Line 1: 10 ST. JAMES AVE.

Address Line 2: 11TH FLOOR

Address Line 4: BOSTON, MASSACHUSETTS 02116

ATTORNEY DOCKET NUMBER: 136144.00031

NAME OF SUBMITTER:	LAURA O'BRIEN				
SIGNATURE:	/LAURA O'BRIEN/				
DATE SIGNED:	12/15/2016				
Total Attachments: 6					
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# RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

This Release of Security Interest in Intellectual Property, dated as of November <u>22</u>, 2016 (the "**IP Release**"), is made by **Midcap Financial Trust**, as agent ("**Agent**") for the Lenders in favor of **Parnell Pharmaceuticals Holdings LTD**, a proprietary company limited by shares incorporated under the laws of Australia ("**Parent**"), **Parnell, Inc.**, a corporation incorporated under the laws of the state of Delaware ("**Borrower**"), and each other Person signatory to the IP Security Agreement (defined below) as a Grantor (together with Parent and Borrower, each a "**Grantor**" and collectively the "**Grantors**") as follows:

WHEREAS, pursuant to that certain Intellectual Property Security Agreement, dated as of June 15, 2015 (as the same may have been amended, modified, restated, replaced or supplemented from time to time, the "**IP Security Agreement**"; capitalized terms used herein have the definition provided for in the IP Security Agreement), recorded with the United States Patent and Trademark Office on June 16, 2015 at Reel/Frame No. 035919/0452 and at Reel/Frame No. 5553/0464, each Grantor granted Agent, on behalf of the Lenders, a security interest in and to all of its right, title and interest in the Intellectual Property Collateral identified therein;

WHEREAS, the Grantors have requested that Agent release its security interest in and to the patent assets as more particularly described on <u>Schedule A</u> attached hereto and the trademark assets as more particularly described on <u>Schedule B</u> attached hereto (the "**Released IP Collateral**").

NOW, THEREFORE, Agent, without recourse, representation or warranty and at Grantor's sole cost and expense, hereby releases all of its right, title and interest in and to the Released IP Collateral.

[SIGNATURE PAGE FOLLOWS]

Midcap / Parnell / IP Release and Termination DC - 036639.000016 - 9255626 \\DC - 036639/000016 - 9255626 \v2 IN WITNESS WHEREOF, Agent has caused this IP Release to be duly executed and delivered by its duly authorized officer as of the date first written above.

# AGENT:

# MIDCAP FINANCIAL TRUST

as Agent

By: Apollo Capital Management, L.P.,

its investment manager

By: Apollo Capital Management GP, LLC,

its general partner

3y: \_\_\_\_\_\_ (SEAL)

Name: Maurice Amsellem Its: Authorized Signatory

# **SCHEDULE A**

#### **Patents**

Country	Patent / Application No.	Filing date	Owner	Status	Expiry date
United States	13/002,363	8 October 2008	Parnell Technologies Pty Ltd	On appeal\$	8 October 2028
United States	14/256,816	18 April 2014	Parnell Technologies Pty Ltd	Under Examination#	8 October 2028
United States	7,326,735	28 April 2004	Parnell Technologies Pty Ltd	Issued	28 April 2024*

<sup>\*</sup> Subject to any patent term adjustment # Denotes patents/applications directed to composition of matter

<sup>\$</sup> Denotes patents/applications directed to double sulfation method

SCHEDULE B

# Trademarks

Mysynch	Estroplan	Gonadopro	Gonabreed	Glyde	Trademark
USA	USA	USA	USA	Madrid: EU, USA, Japan (79/087045)	Country
85,770,262	2,545,590	86,131,238	85,608,750	1,050,296	Number
2/11/2012	30/10/2002	27/11/2013	18/11/1999		Application date
	12/03/2002		9/07/2013	5/08/2010	Registration date
	12/03/2022		9/07/2023	5/08/2020	Renewal due
Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Proprietor
Published 30/07/2013, A non-final Office Action has been		A first request for extension of time to file a Statement of Use has been granted.	9/07/2018- 9/07/2019 confirmation continued use necessary; DCC has number 75825837	US - total provisional refusal 5 August 2013, EM - Granted, JP - Granted	Comments

Mysynch	Estroplan	Gonadopro	Gonabreed	Mysynch	Zydax	Synchronization Pack	Procept		Trademark
US	US	US	US	CA	Madrid: EU, USA, Japan (3933812)	USA	USA		Country
85/770,262	2,545,590	86/131,238	4,365,768	1611558	1,031,950	85,836,582	86,027,644		Number
11/02/2012	10/30/1998	11/27/2013	04/26/2012	01/28/2013		2/11/2012	2/08/2013		Application date
	03/12/2002		07/09/2013		10/02/2010				Registration date
	03/12/2022		07/09/2023		10/02/2020				Renewal due
Parnell	Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd		Proprietor				
Allowed		Allowed		Allowed	Granted in JP, US (amended specification), EM (amended specification)	Abandoned 22/4/15	Statement of use due 6/11/2014, awaiting SoU	sent (issued) to the applicant after review of the Statement of Use.	Comments

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**RECORDED: 12/15/2016** 

Zydax	PAW	iKam	Procept		Trademark
US	US	US	US		Country
3,933,812	86/422,844	86/422,842	86/027,644		Number
02/10/2010	10/14/2014	10/14/2014	08/02/2013		Application date
03/22/2011					Registration date
03/22/2021					Renewal due
Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Parnell Technologies Pty Ltd	Technologies Pty Ltd	Proprietor
	Response to OA due 8/3/2015	Response to OA due 8/3/2015	Allowed		Comments