

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM610208

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	CONFIRMATORY GRANT OF SECURITY INTEREST IN UNITED STATES TRADEMARKS

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
AKORN OPERATING COMPANY LLC		10/01/2020	Limited Liability Company: DELAWARE

## RECEIVING PARTY DATA

<b>Name:</b>	MIDCAP FUNDING IV TRUST
<b>Street Address:</b>	c/o MidCap Financial Services, LLC, as servicer
<b>Internal Address:</b>	7255 Woodmont Avenue, Suite 200
<b>City:</b>	Bethesda
<b>State/Country:</b>	MARYLAND
<b>Postal Code:</b>	20814
<b>Entity Type:</b>	A Delaware Statutory Trust: DELAWARE

## PROPERTY NUMBERS Total: 58

Property Type	Number	Word Mark
Serial Number:	85114820	ADVANCING THE NEW VISION
Serial Number:	73652686	AK-FLUOR
Serial Number:	77589830	AKORN
Serial Number:	86937435	AKORN
Serial Number:	77012922	AKTEN
Serial Number:	75829828	AKWA TEARS
Serial Number:	72124870	AMICAR
Serial Number:	73815445	ANASED
Serial Number:	74628335	BETIMOL
Serial Number:	77492827	BUTORPHIC
Serial Number:	72221381	CAPASTAT
Serial Number:	85961915	CONTROL THE UNCONTROLLABLE
Serial Number:	74389373	DIABETIC TUSSIN
Serial Number:	86025876	DIADERM
Serial Number:	86773391	EYE RX DIRECT
Serial Number:	87007235	FAST AND FIERCE RELIEF
Serial Number:	72203731	FLURESS

CH \$1465.00 85114820

TRADEMARK

Property Type	Number	Word Mark
Serial Number:	73652684	GENTAK
Serial Number:	85961910	GROUNDING IN SCIENCE. PROVEN IN PRACTICE
Serial Number:	75315149	IC-GREEN
Serial Number:	72190096	INAPSINE
Serial Number:	75825569	INDIGO CARMINE
Serial Number:	76308782	INSPIRE
Serial Number:	76309035	INSPIRE
Serial Number:	85121025	JEFFREY P. GILBARD, MD
Serial Number:	76052135	MAGINEX
Serial Number:	75576028	MAG-OX 400
Serial Number:	87007233	MASTER OF MAGNESIUM
Serial Number:	86210334	MULTI-BETIC
Serial Number:	76178246	MYOCHRYSSINE
Serial Number:	85071559	MYORISAN
Serial Number:	71308321	NEMBUTAL
Serial Number:	85967253	OSMO-CORRECTION
Serial Number:	75839701	PAREMYD
Serial Number:	78329276	PHARMACEUTICAL GRADE
Serial Number:	85967251	RESTORES EYES NATURAL BALANCE
Serial Number:	78862364	SINUS BUSTER
Serial Number:	78850704	SINUS BUSTER ALL NATURAL NASAL SPRAY
Serial Number:	78459733	STERILID
Serial Number:	75572570	T TAYLOR PHARMACEUTICALS AN AKORN COMPAN
Serial Number:	75829829	TEARS RENEWED
Serial Number:	88457133	THERA TEARS
Serial Number:	74615598	THERATEARS
Serial Number:	86260607	THERAPY FOR YOUR EYES
Serial Number:	87049747	THERATEARS EXTRA
Serial Number:	76427523	THERATEARS
Serial Number:	78459728	THERATEARS STERILID
Serial Number:	76548343	TOLAZINE
Serial Number:	86631044	TYPE YOU
Serial Number:	86966811	TYPE YOU DIABETIC CARE
Serial Number:	72450878	URO-MAG
Serial Number:	76269614	VERSAPHARM INCORPORATED
Serial Number:	76269637	VERSAPHARM INCORPORATED X
Serial Number:	74266573	VETAKET
Serial Number:	72081126	VO SOL

Property Type	Number	Word Mark
Serial Number:	73815446	YOBINE
Serial Number:	78660833	ZOSTRIX
Serial Number:	73576274	ZOSTRIX

**CORRESPONDENCE DATA**

**Fax Number:** 3126095005

*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.*

**Phone:** 312-609-7798

**Email:** ablekhman@vedderprice.com

**Correspondent Name:** Aida Blekhman

**Address Line 1:** Vedder Price P.C.

**Address Line 2:** 222 North LaSalle Street, Suite 2500

**Address Line 4:** Chicago, ILLINOIS 60601

**ATTORNEY DOCKET NUMBER:** 41012.00.0222 Akorn

**NAME OF SUBMITTER:** Aida Blekhman

**SIGNATURE:** /Aida Blekhman/

**DATE SIGNED:** 11/21/2020

**Total Attachments: 10**

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**CONFIRMATORY GRANT OF SECURITY INTEREST  
IN UNITED STATES TRADEMARKS**

**THIS CONFIRMATORY GRANT OF SECURITY INTEREST IN UNITED STATES TRADEMARKS** (the “Confirmatory Grant”) is made effective as of October 1, 2020 by and from **AKORN OPERATING COMPANY LLC**, a Delaware limited liability company (the “Grantor”), to and in favor of **MIDCAP FUNDING IV TRUST** (the “Grantee”), for itself and as Administrative Agent for the Secured Parties (as defined in the Credit Agreement referenced below).

**WHEREAS**, the Grantor, the other Loan Parties, the Lenders and the Grantee (as successor-by-assignment to MidCap Financial Trust) have entered into a Credit Agreement dated October 1, 2020 (as may be amended, restated, supplemented or otherwise modified from time to time, the “Credit Agreement”).

**WHEREAS**, the Grantor and the other Loan Parties have entered into an ABL Pledge and Security Agreement dated October 1, 2020 (as may be amended, restated, supplemented or otherwise modified from time to time, the “Security Agreement”).

**WHEREAS**, the Grantor owns the trademarks listed on Exhibit A attached hereto (the “Trademarks”), which Trademarks are pending or registered with the United States Patent and Trademark Office.

**WHEREAS**, this Confirmatory Grant has been granted in conjunction with the security interest granted to the Grantee under the Security Agreement. The rights and remedies of the Grantee with respect to the security interest granted herein are without prejudice to and are in addition to those set forth in the Security Agreement and the other Loan Documents, all terms and provisions of which are incorporated herein by reference. In the event that any provisions of this Confirmatory Grant are deemed to conflict with the Security Agreement, the provisions of the Security Agreement shall govern.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed that:

1) Definitions. All capitalized terms not defined herein shall have the respective meaning given to them in the Credit Agreement.

2) The Security Interest.

(a) This Confirmatory Grant is made to secure the satisfactory performance and payment of all the Secured Obligations. Upon the payment in full of all Secured Obligations (other than contingent indemnification obligations), the Grantee shall promptly, upon such satisfaction, execute, acknowledge, and deliver to the Grantor all reasonably requested instruments in writing releasing the security interest in the Trademarks acquired under this Confirmatory Grant.

(b) The Grantor hereby grants to the Grantee a security interest in (1) all of the Grantor’s right, title and interest in and to the Trademarks, together with (2) all income, royalties,

damages, claims, and payments now or hereafter due or payable under and with respect to the Trademarks (including without limitation damages and payments for all causes of action arising prior to or after the date hereof for infringement of the Trademarks), and (3) the goodwill associated with such Trademarks.

3) Counterparts. This Confirmatory Grant may be executed in any number of counterparts and by different parties in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement. Signature pages may be detached from multiple separate counterparts and attached to a single counterpart.

4) Governing Law. This Confirmatory Grant and the rights and obligations of the parties hereto shall be governed by, and construed and interpreted in accordance with, the law of the State of New York.

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IN WITNESS WHEREOF, the Grantor has executed this Confirmatory Grant of Security Interest effective as of the day and year first above written.

AKORN OPERATING COMPANY  
LLC, a Delaware limited liability company

By: *Joseph Bonaccorsi*

Joseph Bonaccorsi  
Executive Vice President,  
General Counsel and Secretary

SIGNATURE PAGE TO  
CONFIRMATORY GRANT OF  
SECURITY INTEREST  
IN UNITED STATES TRADEMARKS

**TRADEMARK**  
**REEL: 007113 FRAME: 0064**

**CONFIRMATORY GRANT OF SECURITY INTEREST  
IN UNITED STATES TRADEMARKS**

**EXHIBIT A - SCHEDULE OF TRADEMARKS**

**Registered Trademarks**

<b>Title</b>	<b>Country</b>	<b>Application No.</b>	<b>Filing Date</b>	<b>Registration No.</b>	<b>Registration Date</b>	<b>Status</b>	<b>Owner</b>
ADVANCING THE NEW VISION	USA	85114820	8/24/2010	3954229	5/3/2011	Registered	Akorn Operating Company LLC
AK-FLUOR	USA	73652686	4/2/1987	1464246	11/10/1987	Registered	Akorn Operating Company LLC
AKORN	USA	77589830	10/9/2008	3,774,019	4/13/2010	Registered	Akorn Operating Company LLC
AKORN	USA	86937435	3/11/2016	5,076,962	11/8/2016	Registered	Akorn Operating Company LLC
AKTEN	USA	77012922	10/3/2006	3,631,872	6/2/2009	Registered	Akorn Operating Company LLC
AKWA TEARS	USA	75829828	10/22/2009	2,429,583	2/20/2001	Registered	Akorn Operating Company LLC
AMICAR	USA	72124870	7/28/1961	729,648	4/10/1962	Registered	Akorn Operating Company LLC

<b>Title</b>	<b>Country</b>	<b>Application No.</b>	<b>Filing Date</b>	<b>Registration No.</b>	<b>Registration Date</b>	<b>Status</b>	<b>Owner</b>
ANASED	USA	73815445	7/28/1989	1,589,685	04/03/1990	Registered	Akorn Operating Company LLC
BETIMOL	USA	74628335	2/1/1995	1,961,729	3/12/1996	Registered	Akorn Operating Company LLC
BUTORPHIC	USA	77492827	6/6/2008	3,648,627	6/30/2009	Registered	Akorn Operating Company LLC
CAPASTAT	USA	72221381	6/17/1965	808,363	5/17/1966	Registered	Akorn Operating Company LLC
CONTROL THE UNCONTROLLABLE	USA	85961915	6/17/2013	4,732,151	5/5/2015	Registered	Akorn Operating Company LLC
DIABETIC TUSSIN	USA	74389373	5/4/1993	1,861,344	11/1/1994	Registered	Akorn Operating Company LLC
DIADERM	USA	86025876	8/1/2013	4,573,615	7/22/2014	Registered	Akorn Operating Company LLC
EYE RX DIRECT (design)	USA	86773391	9/30/2015	5,296,978	9/26/2017	Registered	Akorn Operating Company LLC
FAST AND FIERCE RELIEF	USA	87007235	4/20/2016	5,355,854	12/12/2017	Registered	Akorn Operating Company LLC



<b>Title</b>	<b>Country</b>	<b>Application No.</b>	<b>Filing Date</b>	<b>Registration No.</b>	<b>Registration Date</b>	<b>Status</b>	<b>Owner</b>
FLURESS	USA	72203731	10/12/1964	789,323	5/11/1965	Registered	Akorn Operating Company LLC
GENT-AK	USA	73652684	4/2/1987	1,464,244	11/10/1987	Registered	Akorn Operating Company LLC
GROUNDING IN SCIENCE. PROVEN IN PRACTICE	USA	85961910	6/17/2013	4,748,523	6/2/2015	Registered	Akorn Operating Company LLC
IC-GREEN	USA	75315149	6/26/1997	2,189,196	9/15/1998	Registered	Akorn Operating Company LLC
INAPSINE	USA	72190096	4/1/1964	783,911	1/26/1965	Registered	Akorn Operating Company LLC
INDIGO CARMINE	USA	75825569	11/9/1999	2,389,845	9/26/2000	Registered	Akorn Operating Company LLC
INSPIRE	USA	76308782	9/4/2001	2,578,523	6/11/2002	Registered	Akorn Operating Company LLC
INSPIRE (& design)	USA	76309035	9/4/2001	2,578,526	6/11/2002	Registered	Akorn Operating Company LLC
JEFFREY P. GILBARD, MD	USA	85121025	9/1/2010	4,556,180	6/24/2014	Registered	Akorn Operating Company LLC

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MAGINEX	USA	76052135	5/19/2000	2,541,622	2/19/2002	Registered	Akorn Operating Company LLC
MAG-OX 400	USA	75576028	10/23/1998	2,633,768	10/15/2002	Registered	Akorn Operating Company LLC
MASTER OF MAGNESIUM	USA	87007233	4/20/2016	5,355,853	12/12/2017	Registered	Akorn Operating Company LLC
MULTI-BETIC	USA	86210334	3/4/2014	4,613,666	9/30/1994	Registered	Akorn Operating Company LLC
MYOCHRYSSINE	USA	76178246	12/11/2000	2,509,820	11/20/2001	Registered	Akorn Operating Company LLC
MYORISAN	USA	85071559	6/25/2010	4,199,023	8/28/2012	Registered	Akorn Operating Company LLC
NEMBUTAL	USA	71308321	11/26/1930	285,003	7/14/1931	Registered	Akorn Operating Company LLC
OSMO-CORRECTION	USA	85967253	6/22/2013	4,837,201	10/20/2015	Registered	Akorn Operating Company LLC
PAREMYD	USA	75839701	11/4/1999	2,775,998	10/21/2003	Registered	Akorn Operating Company LLC

Title	Country	Application No.	Filing Date	Registration No.	Registration Date	Status	Owner
PHARMACEUTICAL GRADE (& design)	USA	78329276	11/18/2003	3,272,765	7/31/2007	Registered	Akorn Operating Company LLC
RESTORES EYES NATURAL BALANCE	USA	85967251	6/22/2013	4,846,473	11/3/2015	Registered	Akorn Operating Company LLC
SINUS BUSTER	USA	78862364	4/16/2006	3,194,160	1/2/2007	Registered	Akorn Operating Company LLC
SINUS BUSTER ALL NATURAL NASAL SPRAY	USA	78850704	3/30/2006	3,503,088	9/16/2008	Registered	Akorn Operating Company LLC
STERILID	USA	78459733	7/30/2004	3,140,041	9/5/2006	Registered	Akorn Operating Company LLC
T TAYLOR PHARMACEUTICALS AN AKORN COMPANY	USA	75572570	10/16/1998	2,340,300	4/11/2000	Registered	Akorn Operating Company LLC
TEARS RENEWED	USA	75829829	10/22/2009	2,429,584	2/20/2001	Registered	Akorn Operating Company LLC
THERA TEARS	USA	88457133	6/3/2019	5,943,133	12/24/2019	Registered	Akorn Operating Company LLC
THERATEARS	USA	74615598	12/27/1994	2,041,112	10/27/1997	Registered	Akorn Operating Company LLC

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THERAPY FOR YOUR EYES	USA	86260607	4/23/2014	4,843,058	10/27/2015	Registered	Akorn Operating Company LLC
THERATEARS EXTRA	USA	87049747	5/25/2016	5,586,699	10/16/2018	Registered	Akorn Operating Company LLC
THERATEARS	USA	76427523	7/5/2002	2,770,188	9/30/2003	Registered	Akorn Operating Company LLC
THERATEARS STERILID	USA	78459728	7/30/2004	3,181,614	12/5/2006	Registered	Akorn Operating Company LLC
TOLAZINE	USA	76548343	10/1/2003	2,905,937	11/30/2004	Registered	Akorn Operating Company LLC
TYPE YOU	USA	86631044	5/15/2015	5,291,486	9/19/2017	Registered	Akorn Operating Company LLC
TYPE YOU DIABETIC CARE	USA	86966811	4/6/2016	5,297,364	9/26/2017	Registered	Akorn Operating Company LLC
URO-MAG	USA	72450878	3/8/1973	974,841	12/18/1973	Registered	Akorn Operating Company LLC
VERSAPHARM INCORPORATED	USA	76269614	6/11/2001	2,588,146	7/2/2002	Registered	Akorn Operating Company LLC

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VERSAPHARM INCORPORATED X	USA	76269637	6/11/2001	2,685,550	2/11/2003	Registered	Akorn Operating Company LLC
VETAKET	USA	74266573	4/17/1992	1,803,032	11/09/1993	Registered	Akorn Operating Company LLC
VO SOL	USA	72081126	9/10/1959	696,678	4/26/1960	Registered	Akorn Operating Company LLC
YOBINE	USA	73815446	7/28/1989	1,587,410	03/20/1990	Registered	Akorn Operating Company LLC
ZOSTRIX	USA	78660833	6/29/2005	3,106,587	6/20/2006	Registered	Akorn Operating Company LLC
ZOSTRIX	USA	73576274	1/6/1986	1,423,561	1/6/1987	Registered	Akorn Operating Company LLC