

HAMILTON
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SMITH &
REYNOLDS, P.C.

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(1906-1984)

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ADMINISTRATIVE DIRECTOR
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ADMINISTRATOR OF
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513	
on <u>8/15/02</u>	<u>Jaqueline Foley</u>
Date	Signature
<u>Jaqueline Foley</u>	
Typed or printed name of person signing certificate	

Commissioner for Trademarks
Box ITU FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Re: U.S. Trademark Application
Serial No. 76/271,990
Mark: VIVITREX
Our File No.: 0947.0160-000

Dear Sir:

Enclosed for filing in the above-referenced application is the Allegation of Use of a Mark under 15 U.S.C. § 1051(c) or (d), with one (1) specimen of the mark as used in commerce, transmittal letter and the fee of \$100.00 as prescribed in Section 2.6.

Please stamp and return the enclosed postcard to acknowledge the receipt of these items. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By John L. DuPré
John L. DuPré

JLD/jf
Enclosure

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By John L. DuPré

John L. DuPré

JLD/jf
Enclosure

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SENT BY:HBS&R

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Date	Signature
<u>Jacqueline Foley</u>	
Typed or printed name of person signing certificate	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alkermes, Inc.
Serial No.: 76/271,990
Mark: VIVITREX
Filing Date: June 15, 2001
Class: 5

ALLEGATION OF USE OF A MARK
UNDER 15 U.S.C. § 1051(c) or (d)

Commissioner for Trademarks
Box ITU FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Sir:

James M. Frates, Vice President and Chief Financial Officer of Alkermes, Inc., being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the owner;

06/07/02 09:00 AM

06/07/02

100.00 02

-2-

that Alkermes, Inc. is the owner of the above-identified mark; that the owner is using the mark in commerce on or in connection with **Polymer-based Drug Delivery Formulations for Clinical Use; and Pharmaceutical Products, namely, Injectable Drug Delivery Formulations used as Facilitating Agents for other Pharmaceutical Preparations, as listed in the Notice of Allowance, as evidenced by the attached specimen showing the mark as currently used in commerce; that such mark was first used at least as early as August 7, 2002; and was first used in commerce at least as early as August 7, 2002; and that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.**

Alkermes, Inc.

By:



James M. Frates

Title: Vice President and
Chief Financial Officer

Dated: August 13, 2002

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2553-003
X-1-1
NTX 300 mg
Part #: L1-0021

Vivitrex™ ALK21-003-EXT Vial Number: XXXXX
Lot Number: 233-0952A or 233-1202A Subject Number: _____
Man date: 10APR02 Store at 2-8°C Date used: _____
CONTENTS: Medisorb® Naltrexone (190 mg or 300 mg) (for injectable suspension)
Use Microsphere Diluent only See Directions For Use
Alkermes Inc., Cambridge, MA 02139, USA L1-0021
CAUTION: NEW DRUG - LIMITED BY FEDERAL LAW TO INVESTIGATIONAL USE

2553-003
X-1-1
NTX 300 mg
Part #: L1-0021

Vivitrex™ ALK21-003-EXT Vial Number: XXXXX
Lot Number: 233-0952A or 233-1202A Subject Number: _____
Man date: 10APR02 Store at 2-8°C Date used: _____
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