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BROOK  
SMITH &  
REYNOLDS, P.C.**

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(1906-1984)

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MARY LOU WAKIMURA  
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J. SCOTT SOUTHWORTH  
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JON C. TRACHTENBERG  
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\* NOT ADMITTED IN MASS.

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ADMINISTRATIVE DIRECTOR

BARBARA J. FORGUE  
ADMINISTRATOR OF  
PATENT AND  
TRADEMARK PRACTICE

| CERTIFICATE OF MAILING                                                                                                                                                                                                                               |                        |
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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 8/15/02                                                                                                                                                                                                                                           | <i>Jaqueline Foley</i> |
| Date                                                                                                                                                                                                                                                 | Signature              |
| <i>Jaqueline Foley</i>                                                                                                                                                                                                                               |                        |
| 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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| <i>JAQUELINE FOLEY</i>                                                                                                                                                                                                                               |                        |
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Mark: VIVITREX  
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Respectfully submitted,

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

By *John L. DuPré*  
John L. DuPré

JLD/jf  
Enclosure

::ODMA\HODMA\iManage;253521;1

AUG-13-02 TUE 01:29 PM

SENT BY:HBS&R

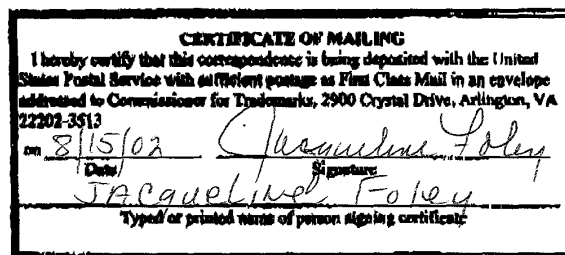
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FAX NO.

19783410136~

P. 02

:# 3/ 4



**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;

USPTO/PAID RECEIVING AUGUST 15, 2002

BY: [illegible]

100.00 02

; 8-13- 2 ;11:45AM ;

FAX NO.  
19783410136→

P. 03  
# 4/ 4

-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.**

Byz

James M. Frates

**Title:** Vice President and  
Chief Financial Officer

**Dated:** August 13, 2002

2014/06/10/14:00:00

2553-003  
X-1-1  
NTX 380 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 380 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 380 mg  
Part #: L1-0021

Vivitrex™ ALK21-003-EXT Vial Number: XXXXX  
Lot Number: 233-0952A or 233-1202A Subject Number: \_\_\_\_\_  
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