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July 26, 2002

**BY HAND**

Donald S. Clark, Esq.  
Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington D.C. 20580

RECEIVED  
FEDERAL TRADE COMMISSION  
02 JUL 26 11 21 33  
COMM. INT. PROCESSING

Re: In the Matter of Biovail Corporation, File No. 011-0094

Dear Mr. Clark:

On behalf of Biovail Corporation ("Biovail"), I write to seek the Federal Trade Commission's approval of Biovail's divestiture of certain patent rights to DOV Pharmaceutical, Inc. ("DOV"), as required by the Agreement Containing Consent Order, executed by Biovail in the above captioned matter on April 5, 2002 ("Order").<sup>1</sup> Paragraph II.A. of the Order requires Biovail to "divest, absolutely, in good faith, and only in a manner that receives the prior approval of the Commission, the Assets To Be Divested to DOV," with Assets To Be Divested meaning "all Exclusive Licenses to the DOV '463 Patent in the Tiazac Field." (Order, Paragraph I.C.)

On July 19, 2002, Biovail and DOV executed an amendment to the parties' license agreement, a copy of which is attached hereto. The amendment modifies the grant of license rights to Biovail by returning the exclusive license to the DOV '463 Patent in the Tiazac Field to DOV. The amendment provides that it will become effective upon notification of Commission approval

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<sup>1</sup>This letter adopts and incorporates by reference all definitions set forth in the Order.

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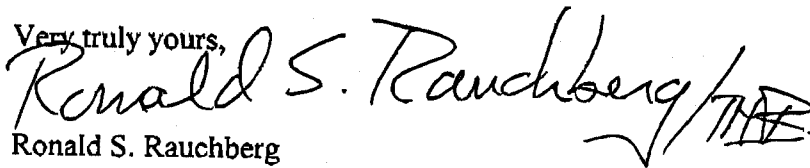
Donald S. Clark

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thereof, with no further action by the parties. The amendment fully complies with the divestiture obligations set forth in the Order and therefore merits Commission approval.

Very truly yours,

A handwritten signature in cursive script that reads "Ronald S. Rauchberg". To the right of the signature, there is a small, stylized mark that appears to be "TRB".

Ronald S. Rauchberg

Attachment