CAUSE NO. 12-DCV-202563

CELLTEX THERAPEUTICS CORPORATION, f/k/a BIOLIFE STEM CELL CORPORATION,	§	IN THE DISTRICT COURT OF
Plaintiff,	§	FORT BEND COUNTY, TEXAS
V.	§	
RNL BIO CO., LTD. and HUMAN BIOSTAR, INC., f/k/a HUMAN BIOSTAR TEXAS, INC.,	§	434 TH JUDICIAL DISTRICT
Defendants.	§	**JURY TRIAL DEMANDED**

PLAINTIFF CELLTEX THERAPEUTICS CORPORATION'S ORIGINAL PETITION, AND APPLICATION FOR TEMPORARY INJUNCTION AND FOR PERMANENT INJUNCTION

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff CELLTEX THERAPEUTICS CORPORATION, f/k/a BIOLIFE STEM CELL CORPORATION, files this original petition, and application for temporary injunction and for permanent injunction against Defendants RNL BIO CO., LTD. and HUMAN BIOSTAR, INC., f/k/a HUMAN BIOSTAR TEXAS, INC. and respectfully demonstrates the following:

I.

DISCOVERY LEVEL

1.1. Plaintiff CELLTEX THERAPEUTICS CORPORATION intends to conduct discovery under Level 2 of Texas Rule of Civil Procedure 190.3 because this suit is not governed by a discovery control plan under Rules 190.2 or 190.4. *See* Tex. R. Civ. P. 190.2. CELLTEX affirmatively pleads that it seeks injunctive relief.

FILED
2012 NOV 29 AM 11:40
Renie Rebecca Elliott
CLERK DISTRICT COURT
FORT BEND CO., TX

II.

PARTIES

2.1. Plaintiff CELLTEX THERAPEUTICS CORPORATION, formerly known as BIOLIFE STEM CELL CORPORATION ("CELLTEX"), is a Texas corporation with its principal place of business at 2401 Fountain View Drive, Houston, Texas, 77057.

2.2. Defendant RNL BIO CO., LTD ("RNL") is a South Korean corporation doing business in Texas by entering into contracts and by regularly having its representatives and agents appear and transact business in Texas. However, RNL has not been authorized by the Secretary of State to do business in Texas and has not appointed a registered agent in Texas. Thus, RNL may be served with process by serving RNL's Director, agent and representative, Soyoung Woo, Director, at 12553 W. Airport Blvd., Sugar Land, Fort Bend County, Texas 77478. The last known address for RNL is 1596-7 Bongeheon-dong, Gwanak-gu, Seoul City, Korea.

2.3. Defendant HUMAN BIOSTAR, INC., formerly known as HUMAN BIOSTAR TEXAS, INC. ("HBI"), is a Texas corporation located in Sugar Land, Fort Bend County, Texas, who may be served by serving its registered agent, Soyoung Woo, Director, at 12553 W. Airport Blvd., Sugar Land, Fort Bend County, Texas 77478.

III.

JURISDICTION AND VENUE

3.1. The Court has jurisdiction over the lawsuit because the amount in controversy is within the jurisdictional limits of this Court.

3.2. Venue is proper in Fort Bend County under Texas Civil Practice and Remedies

Code section 15.002(a)(1) because all or a substantial part of the events or omissions giving rise to the claims occurred in Fort Bend County; the stems cells at issue are being wrongfully withheld by Defendants at a facility in Sugar Land, Fort Bend County, Texas. Additionally, venue is proper in Fort Bend County under section 15.002(a)(3) because Defendant HBI'S principal place of business is in Fort Bend County, Texas.

IV.

FACTUAL BACKGROUND

4.1. Plaintiff CELLTEX is a Texas corporation engaged in the field of regenerative medicine. Specifically, CELLTEX is in the business of separating, multiplying, and banking stem cells for use in stem cell therapy.

4.2. Defendant RNL is a South Korean company doing business in Texas and has developed and patented certain human stem cell technology that relates to methods for the use of adult stem cells in stem cell therapy. Defendant HBI is a Texas corporation and, until recently, was believed to be a subsidiary of Defendant RNL. However, HBI now claims to have no legal affiliation with RNL, even though RNL transferred possession of those stem cells (wrongfully) to HBI and HBI is currently in possession of those stem cells.

4.3. On or about March 19, 2011, CELLTEX, as Licensee, and Defendant RNL, as Licensor, entered into a Technology Licensing and Purchase Agreement ("TLPA") governed by Texas law per its terms. The subject of the TLPA is the adult stem cell technology developed and patented by RNL ("the Technology"). Under the TLPA, CELLTEX purchased from RNL the exclusive and perpetual right to develop, market, manufacture, make, use, sell, license, and sub-license in America, Canada, and Mexico ("the Territory") the Technology patented by RNL.

The purchase price for this Technology was an up-front payment of thirty million dollars ($30,000,000.00) plus milestone payments equal to twenty percent (20%) of the fees received by CELLTEX from the sale or license of the Technology within the Territory until those milestone payments total three hundred million dollars ($300,000,000.00). Also under the terms of the TLPA, RNL purchased preferred shares of CELLTEX and, among other things, undertook the obligation to set up a laboratory for the separation, multiplication, and banking of the stem cells of CELLTEX'S customers and to train CELLTEX'S employees in the application of the Technology.

4.4. Pursuant to the TLPA, CELLTEX has marketed the Technology and developed a customer base of approximately two hundred and thirty (230) customers. Many of these customers are battling degenerative diseases, such as Parkinson's Disease, and hope stem cell therapy will work to reverse, at least in part, their conditions. Most patients who bank their stem cells do so because there is an incurable, chronic condition they are fighting.

4.5. Upon engaging CELLTEX, each customer signs an agreement ("the customer agreements") giving CELLTEX the right to extract, prepare, cryopreserve, and transport the customer's stem cells. Under the terms of the customer agreements, CELLTEX is the legal custodian of the customer's stem cells until the customer either requests that CELLTEX transport his or her stem cells to a treating physician or until the customer provides CELLTEX with a written request to destroy his or her stem cells.

4.6. Under the TLPA between CELLTEX and RNL, the extraction, preparation, cryopreservation, banking, and transport of the customers' stem cells was to be performed in the laboratory established by RNL and is ultimately to be turned over to CELLTEX under the terms

of the TLPA. RNL chose to satisfy its laboratory obligations under the TLPA through its subsidiary, RNL Life Science, Inc. (a California corporation) and its successors.[1] Until November of 2012, CELLTEX believed HBI was a subsidiary of RNL and that HBI was performing the laboratory services required of RNL under the TLPA.

4.7. For approximately one (1) year, RNL and HBI have operated a facility located at 12821 West Airport Boulevard, Suite 800, Sugar Land Texas, 77478 (hereinafter "Suite 800"), in which it has provided banking and laboratory services to CELLTEX as part of its obligations under the TLPA. As part of the banking process, the stem cells are stored in a tank which is supplied with liquid nitrogen ("the tank"), bringing the stem cells to approximately minus four hundred degrees (-400°). Under the TLPA, RNL is obligated to turn over the tank and stem cells to CELLTEX upon completion of the laboratory.

4.8. CELLTEX registered Suite 800 with the U.S. Food and Drug Administration ("FDA") in accordance with 21 C.F.R. section 1271.21 as the location where the laboratory operations for human cells occurred. A copy of that registration is attached hereto as **Ex. A.** CELLTEX previously provided RNL and HBI with a copy of the registration to hold at Suite 800. As stated, during this period of time, CELLTEX believed HBI was a subsidiary of RNL. *See* n.1.

4.9. When CELLTEX last saw the tank holding its customers' stem cells, it was

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[1]On November 3, 2011, RNL Life Science, Inc. changed its name to Human Biostar, Inc. On March 16, 2012, Human Biostar Texas, Inc., a Texas corporation, was formed, and its President and Director was Jeongchan Ra, a/k/a Jung Chan Ra, who is also the President of Defendant RNL. On March 18, 2012, the California corporation, Human Biostar, Inc., was merged into the Texas corporation, Human Biostar Texas, Inc. On March 18, 2012, Human Biostar Texas, Inc. changed its name to Human Biostar, Inc., Defendant HBI herein.

located in Suite 800. RNL and HBI have wrongfully denied, and continue to wrongfully deny, CELLTEX'S personnel entry to Suite 800. RNL and HBI refuse to permit any CELLTEX personnel to observe or participate in any laboratory operations in Suite 800. The last time CELLTEX saw the tank, RNL and HBI had, for each customer's stem cells, a corresponding written document called "the manufacturing record" that detailed the laboratory steps and testing each customer's cells had undergone. RNL and HBI also had copies of those manufacturing records, testing results, photos of the cells, and a storage index for the tank in its electronic records and stored on computers and/or external hard drives in Suite 800. Thus, there are paper and electronic records that correspond to the tank and the banked cells.

4.10. RNL and HBI recently moved their laboratory staff and offices, in whole or in part, from Suite 800 to another building in the same office park located at 12553 West Airport Boulevard, Sugar Land Texas, 77478. Because the office has moved, it is possible RNL and HBI have moved the paper and electronic records to that new location. It is also possible that the tank holding CELLTEX'S customers' stem cells has been moved to that location. RNL and HBI did not have the authority to move the records or the stem cells because neither RNL nor HBI are the party registered with the FDA. *Only CELLTEX* has the authority to move the stem cells and corresponding records from their current location to another location of *CELLTEX'S* choosing in accordance with 21 C.F.R. section 1271.26, which requires CELLTEX to notify the FDA of the new location within five (5) days of the move.

4.11. In fact, on or about November 20, 2012, representatives of CELLTEX attempted to visit Suite 800, but it appeared to be closed. The company logo "Human Biostar" was on the door and there was a sign instructing all deliveries to be made to the new facility located at

12553 W. Airport Boulevard, Sugar Land, Fort Bend County, Texas. Thereafter, CELLTEX representatives attempted to visit the new facility and were met at the door by Dr. David Keum-Young, who would not allow them entry into the facility. At the 12553 W. Airport facility, there was signage throughout the interior of the building that could be seen through the front glass doors reflecting "RNL Bio." The interior of the facility appeared to contain the filing cabinets that once contained the manufacturing records and quality control records previously reviewed by the FDA. Per FDA regulations, these records must be kept in the same facility that stores the stem cells; however, the CELLTEX representatives were unable to confirm if the stem cells had been moved to this new facility.

4.12. On November 21, 2012, the day after the CELLTEX representatives were denied access to the RNL/HBI laboratory, RNL and HBI announced via PR Newswire that they completed FDA revisions of the laboratory and that HBI was engaged in contract services for stem cell banking and production for CELLTEX. **Ex. B.** These statements are false as CELLTEX has not been able to confirm the validity of the changes to the laboratory nor entered into a contractual agreement with HBI.

4.13. In an email dated November 1, 2012 from Sanghoon Song (in-house counsel for RNL) to Andrea Ferrenz (Executive Vice President and Legal Counsel to CELLTEX), CELLTEX learned that, despite the clear record of corporate succession contained in the Texas Secretary of State's records (*see* n.1), HBI claims it is not a subsidiary of RNL but is simply a "cooperative company." On November 27, 2012, CELLTEX learned HBI claims no affiliation with RNL and claims it has no obligation to CELLTEX under the TLPA. CELLTEX also learned HBI is the party in possession of the stem cells of CELLTEX'S customers and is

asserting CELLTEX owes it more than one million dollars ($1,000,000.00), for alleged costs associated with services HBI purports to have performed for CELLTEX, and an additional six thousand dollars ($6,000.00) per day for alleged storage fees to begin on December 1, 2012. Both of these monetary demands by HBI are its stated conditions to releasing the stem cells of CELLTEX'S customers. However, CELLTEX has *no contractual relationship with HBI* and HBI has disclaimed all responsibility for the laboratory obligations of RNL under the TLPA. In fact, HBI now claims the laboratory, which RNL was contractually obligated to establish under the TLPA, belongs to HBI and that it (HBI) has no obligation to turn over the laboratory to CELLTEX. There is no basis, in law or fact, for HBI's position.

4.14. CELLTEX has repeatedly requested that RNL (and its subsidiaries during their operation of the lab) honor written orders from the treating physicians of CELLTEX'S customers, but RNL, and apparently now HBI, have refused to release stem cells unless CELLTEX enters into a contract with HBI – a contract which would replace RNL's laboratory obligations under the TLPA. In addition, RNL and HBI have demanded, as an additional condition to releasing the stem cells, that CELLTEX fire and assist in the deportation of Hyeonggeun Park, a former RNL employee who came to work for CELLTEX on November 19, 2012. RNL and HBI's conduct amounts to extortion. This proposed contract with HBI contains terms materially different from those in the TLPA and, not surprisingly, relieves RNL of its obligations under the TLPA and provides significantly more compensation to HBI than is provided to RNL under the TLPA.

4.15. Thus, in violation of the TLPA, RNL has refused to train CELLTEX'S employees, has locked CELLTEX'S employees out of the laboratory, has refused to and

continues to refuse to honor written orders from treating physicians requesting stem cells for the therapeutic treatment of CELLTEX'S customers who wish to be treated in Mexico and Canada, and, as we now know, has turned over control and apparent ownership of the laboratory to HBI, who disclaims any obligations to CELLTEX under the TLPA. In fact, as stated previously, HBI claims to have no contractual relationship with CELLTEX at all and demands more than $1,000,000.00 in immediate payment as a condition to releasing any stem cells to CELLTEX or its customers. Many of these customers are battling degenerative diseases and are desperate to obtain their stem cells for therapy. Most patients who bank their stem cells do so because there is an incurable, chronic condition they are fighting. Without access to stem cells, it is almost always the case that the disease progresses and leads to irreparable damage and/or death. Unless the Court orders the transfer of these stem cells from HBI, who is a stranger to the transaction between CELLTEX and its customers and CELLTEX'S chosen laboratory RNL, CELLTEX will continue to be unable to honor its obligations to its customers, putting these customers at risk of losing their potentially life-saving stem cells.

V.

CAUSES OF ACTION

Count One: Conversion Against RNL and HBI

5.1. CELLTEX incorporates fully herein the allegations contained in section IV, above, which forms the basis for CELLTEX'S claim for conversion against both Defendant RNL and Defendant HBI.

5.2. The elements of a cause of action for conversion are:

(1) the plaintiff owned, possessed, or had the right to immediate possession of property;

(2) the property was personal property;

(3) the defendant wrongfully exercised dominion or control over the property; and

(4) the plaintiff suffered injury.

Green Int'l v. Solis, 951 S.W.2d 384, 391 (Tex. 1997); *United Mobile Networks, L.P. v. Deaton*, 939 S.W.2d 146, 147 (Tex. 1997); *Burns v. Rochon*, 190 S.W.3d 263, 267-268 (Tex. Appl–Houston [1st Dist.] 2006, no pet.).

A. Element (1) – CELLTEX has the right to immediate possession of the stem cells.

5.3. Under the terms of the customer agreements between CELLTEX and its customers, CELLTEX is the legal custodian of its customers' stem cells until such time as the customer requests his or her stem cells be transported to a treating physician or until such time as the customer provides CELLTEX with a written request to destroy his or her stem cells. Thus, CELLTEX has the right to immediate possession of its customers' stem cells in the hands of HBI and/or RNL. Pursuant to the TLPA, CELLTEX entrusted its customers' stem cells to RNL, but RNL wrongfully transferred possession to HBI, who has disclaimed any obligation to CELLTEX under the TLPA. Under section IX(d) of the TLPA, RNL is prohibited from assigning, subcontracting, or otherwise transferring any of its rights or obligations under the TLPA without the prior written consent of CELLTEX. CELLTEX never provided such written consent. Thus, HBI has no right to possess these stem cells, and RNL has no current right to possess these cells because it has refused to perform, in fact it has abandoned, its obligations under the TLPA to establish and operate the laboratory, as well as train CELLTEX staff.

B. Element (2) – The stem cells are personal property.

5.4. It cannot be disputed that CELLTEX'S customers' stem cells are personal

property.

C. Element (3) – RNL and/or HBI have wrongfully exercised, and continue to wrongfully exercise, dominion and control over the stem cells.

5.5. HBI and/or RNL have wrongfully exercised dominion and control over CELLTEX'S customers' stem cells and continue to do so. HBI and/or RNL have not only refused to honor appropriately written prescriptions from customers' treating physicians, but they now refuse to turn over the stem cells to CELLTEX unless CELLTEX agrees to pay over $1,000,000.00 in charges for which there is no contractual basis and agrees to cooperate in the firing and deportation of a former RNL/HBI employee. CELLTEX, as the legal custodian of these stem cells, has a right to immediate possession, and Defendants' reprehensible behavior is a wrongful exercise of control over personal property they have no right to possess at this point.

D. Element (4) – CELLTEX has suffered injury.

5.6. CELLTEX has been damaged by Defendants' conduct because it has lost the revenues that would have directly resulted from the delivery of stem cells to its customers pursuant to orders from those customers' treating physicians. CELLTEX is being denied the use of the Technology (for which it paid $30,000,000.00), resulting in the loss of additional customers and revenues that would have been earned therefrom. Even though CELLTEX is temporarily unable to transfer stem cells for prescriptions for use in the United States, CELLTEX is able to bank stem cells for future use and provide cell multiplication services for research use. In addition, CELLTEX is suffering damage to its business reputation because, without the use of the Technology, it cannot carry on its business.

Count Two: Conspiracy to Convert Against RNL and HBI

5.7. CELLTEX incorporates fully herein the allegations contained in section IV,

above, which forms the basis for CELLTEX'S claim for conspiracy against Defendants RNL and HBI.

5.8. To succeed in an action for conspiracy, a plaintiff must demonstrate the following:

(1) the defendant was a member of a combination of two or more persons;

(2) the object of the combination was to accomplish;

(a) an unlawful purpose; or

(b) a lawful purpose by unlawful means;

(3) the members had a meeting of the minds on the object or course of action;

(4) one of the members committed an unlawful, overt act to further the object or course of action; and

(5) the plaintiff suffered injury as a proximate result of the wrongful act.

Chon Tri v. J.T.T., 162 S.W.3d 552, 556 (Tex. 2005).

A. Element (1) – Defendants were members of a combination of two or more persons.

5.9. Defendants RNL and HBI are two persons who combined to commit conspiracy to convert the stem cells of CELLTEX'S customers.

B. Element (2) – The object of the combination was to accomplish an unlawful purpose.

5.10. The object of the combination described in the preceding paragraph was to accomplish the conversion, which is/was unlawful, of the stem cells of CELLTEX'S customers. Defendants' unlawful conversion is more fully described in paragraphs 5.1-5.6, which are incorporated fully into this paragraph.

C. Element (3) – RNL and HBI had a meeting of the minds on the object or course of action.

5.11. There is no dispute that RNL had possession of the stem cells of CELLTEX'S customers and that HBI now has possession of those stem cells. Thus, there can be no dispute that RNL and HBI had a meeting of the minds when possession of the stem cells – which resulted in HBI's conversion – was transferred from RNL to HBI.

D. Element (4) – One of the members committed an unlawful, overt act to further the object or course of action.

5.12. Both Defendants have committed unlawful acts in relation to CELLTEX'S customers' stem cells. Under the TLPA, it is unlawful for RNL to assign, subcontract, or otherwise transfer any of its rights or obligations under the TLPA without the prior written consent of CELLTEX. CELLTEX never provided any consent, written or otherwise, to RNL to transfer possession of the stem cells to HBI or to assign, subcontract, or transfer RNL'S rights and/or obligations under the TLPA to HBI. Likewise, it was unlawful and continues to be unlawful for HBI to possess these customers' stem cells as HBI has no right, in law or fact, to such possession.

E. Element (5) – CELLTEX suffered injury as a proximate result of the wrongful act.

5.13. CELLTEX has been damaged by Defendants' conduct and wrongful possession and withholding of its customers' stem cells because. CELLTEX has lost the revenues that would have directly resulted from the delivery of stem cells to its customers pursuant to orders from those customers' treating physicians. Additionally, CELLTEX is being denied the use of the Technology (for which it paid $30,000,000.00), resulting in the loss of additional customers and revenues that would have been earned therefrom. In conjunction, CELLTEX is suffering

damage to its business reputation because, without the use of the Technology, it cannot carry on its business.

VI.

REQUEST FOR TEMPORARY INJUNCTION

6.1. CELLTEX'S application for a temporary injunction is authorized by Texas Civil Practice and Remedies Code section 65.011(5) because "irreparable injury to . . . personal property is threatened . . . ." Tex. Civ. Prac. & Rem. Code § 65.011(5).

6.2. CELLTEX asks the Court to issue a mandatory injunction ordering RNL and HBI to immediately surrender to CELLTEX possession of all of CELLTEX'S customers' stem cells, all associated raw tissue, all written and electronic records and documentation, all photographs, all test results, and all other information or documents pertaining to the handling and/or manufacturing and/or maintenance of the subject stem cells.

6.3. It is probable that CELLTEX will recover from Defendants after a trial on the merits of its conversion claim and conspiracy to convert claim. CELLTEX has the superior legal right to possession of the stem cells, which are personal property; HBI has no contractual or other right to possession of those stem cells; RNL and HBI are wrongfully withholding the stem cells in order to extort financial payments and a new contract for which there is no existing legal basis; and CELLTEX has suffered past and present losses in revenue and damage to its business reputation and will continue to suffer those damages as a result of Defendants' conduct.

6.4. If CELLTEX'S application for a temporary injunction is not granted, harm is imminent because there are customers currently requesting their stem cells for therapeutic treatment that has been ordered by their treating physicians. The harm that will result if the

temporary injunction is not issued is irreparable. Many of these customers are battling degenerative diseases and are desperate to obtain their stem cells for therapy. Without access to stem cells, it is almost always the case that the disease progresses and leads to irreparable damage and/or death.

6.5. CELLTEX has no adequate remedy at law because the damages are incalculable.

6.6. CELLTEX is willing to post bond. However, since Defendants have no valid security interest in the stem cells, no bond should be required.

6.7. CELLTEX asks the Court to set its application for temporary injunction for a hearing and, after the hearing, issue a temporary injunction against Defendants.

6.8. CELLTEX has joined all indispensable parties under Texas Rule of Civil Procedure 39. Under the customer agreements, CELLTEX is the legal custodian of their respective stem cells. CELLTEX and RNL are the parties to the TLPA at issue, and HBI is the current possessor of the stem cells.

VII.

REQUEST FOR PERMANENT INJUNCTION

7.1. CELLTEX asks the Court to set its request for a permanent injunction for a full trial on the merits and, after the trial, issue a permanent injunction against Defendants.

VIII.

JURY DEMAND

8.1. Plaintiff demands a jury trial and tenders the appropriate fee with this petition.

IX.

CONDITIONS PRECEDENT

9.1. All conditions precedent to CELLTEX'S claim for relief have been performed or have occurred.

X.

PRAYER

10.1 For these reasons, Plaintiff CELLTEX THERAPEUTICS CORPORATION, f/k/a BIOLIFE STEM CELL CORPORATION asks that Defendants RNL BIO CO., LTD. and HUMAN BIOSTAR, INC., f/k/a HUMAN BIOSTAR TEXAS, INC. be cited to appear and answer and, on final trial, that Plaintiff be awarded a judgment against Defendants:

a. temporary injunction ;

b. permanent injunction;

c. actual damages, at a minimum of $1.5 million;

d. prejudgment and post-judgment interest as allowed by law;

e. court costs as allowed by law; and

f. any and all other relief, at law or in equity, to which Plaintiff is entitled.

Respectfully submitted,

Richard L. Tate
State Bar No. 19664460
Carl H. Moerer, Jr.
State Bar No. 14248700
Libby King
State Bar No. 24032622
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Facsimile: (281) 341-1003
ATTORNEYS FOR PLAINTIFF

VERIFICATION

STATE OF TEXAS §
§
COUNTY OF HARRIS §

Before me, the undersigned notary, on this day personally appeared Soyun Donna Lee, the affiant, a person whose identify is known to me. After I administered an oath to affiant, affiant testified:

"My name is Soyun Donna Lee. I am the Vice President of Corporate Development for Celltex Therapeutics Corporation. I am capable of making this verification. I have read the Factual Background of Plaintiff Celltex Therapeutics Corporation's Original Petition and Application for Temporary Injunction and for Permanent Injunction. The facts stated in it are within my personal knowledge and are true and correct."

Soyun Donna Lee, Affiant

Sworn to and subscribed before me by Donna Lee, on the 29 day of November, 2012.

LYNN H. GRAHAM
My Commission Expires
April 8, 2013

Lynn H. Graham
Notary Public in and for the State of Texas

DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION

ESTABLISHMENT REGISTRATION AND LISTING FOR HUMAN CELLS, TISSUES, AND CELLULAR AND TISSUE-BASED PRODUCTS (HCT/Ps)

(See reverse side for instructions)

1. REGISTRATION NUMBER (FDA Establishment Identifier)
FEI: 3009499974

2. REASON FOR SUBMISSION
- a. [X] INITIAL REGISTRATION / LISTING
- b. [ ] ANNUAL REGISTRATION / LISTING
- c. [ ] CHANGE IN INFORMATION
- d. [ ] INACTIVE

VALIDATED BY FDA:23-MAY-2012
DISTRICT: Dallas
PRINTED BY FDA:23-MAY-2012

PART I - ESTABLISHMENT INFORMATION

3. OTHER FDA REGISTRATIONS
- a. BLOOD FDA 2830 NO. _____
- b. DEVICES FDA 2891 NO. _____
- c. DRUG FDA 2656 NO. _____

4. PHYSICAL LOCATION (Include legal name, number and street, city, state, country, and post office code)
Celltex Therapeutics Corporation

12621 W. Airport Blvd
Suite 800
Sugar Land, Texas 77478

a. PHONE 713-590-1000 EXT
b. [ ] SATELLITE RECOVERY ESTABLISHMENT (MANUFACTURING ESTABLISHMENT FEI NO._____
c. [ ] TESTING FOR MICRO-ORGANISMS ONLY

5. ENTER CORRECTIONS TO ITEM 4

6. MAILING ADDRESS OF REPORTING OFFICIAL (Include institution name if applicable, number and street, city, state, country, and post office code)
Celltex Therapeutics Corporation
Attn: David G. Eller
2401 Fountain View Dr.
Suite 416
Houston, Texas 77057

a. PHONE 713-590-1000 EXT

7. ENTER CORRECTIONS TO ITEM 6 b. PHONE

8. U.S. AGENT

a. E-MAIL

9. REPORTING OFFICIAL'S SIGNATURE

a. TYPED NAME David G. Eller
b. E-MAIL deller@celltexbank.com
c. TITLE Chairman & CEO d. DATE 17-FEB-2012

PART II - PRODUCT INFORMATION

10. ESTABLISHMENT FUNCTIONS AND TYPES OF HCT / Ps

Types of HCT / Ps	Establishment Functions: Recover	Screen	Test	Package	Process	Store	Label	Distribute	11. HCT/Ps DESCRIBED IN 21 CFR 1271.10	12. HCT/Ps REGULATED AS MEDICAL DEVICES	13. HCT/Ps REGULATED AS DRUGS OR BIOLOGICAL DRUGS	14. PROPRIETARY NAME(S)
a. Bone												
b. Cartilage												
c. Cornea												
d. Dura Mater												
e. Embryo [ ] SIP [ ] Directed [ ] Anonymous												
f. Fascia												
g. Heart Valve												
h. Ligament												
i. Oocyte [ ] SIP [ ] Directed [ ] Anonymous												
j. Pericardium												
k. Peripheral Blood Stem [ ] Autologous [ ] Family Related [ ] Allogeneic												
l. Sclera												
m. Semen [ ] SIP [ ] Directed [ ] Anonymous												
n. Skin												
o. Somatic Cell Therapy Products [X] Autologous [ ] Family Related [ ] Allogeneic	X	X	X	X	X	X	X	X	X			
p. Tendon												
q. Umbilical Cord Blood [ ] Autologous [ ] Family Related [ ] Allogeneic												
r. Vascular Graft												
s.												
t.												
u.												
v.												

FORM FDA 3356 (11/11)

EXHIBIT
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Human Biostar completes supplementation in compliance with

More

SUGAR LAND, Texas, Nov. 21, 2012 /PRNewswire/ -- Human Biostar and RNL Bio announced today that they have com the revision and supplementation of Human Biostar's stem cell laboratory (GTP Center I) to be compliant with FDA regula

Human Biostar is engaged in the contract service for stem cell banking, producing and supplying to CellTex. The construc its first GTP Center was initially finished on October 11, 2011, with processing capacity of up to 3,000 customers per annu has been working on complementing and satisfying the FDA's comments and recommendations regarding compartmental efficient management systems and additional forms/documentation. During revision, the lab was temporarily closed but is open again and back to normal operation, accepting stem cell banking customers. Any customer can place a service orde enjoy the state of the art banking service with the stem cell center.

On November 21, 2012, Human Biostar invited customers and honored guests to its open lab event and explained what w and revised to satisfy FDA recommendations in its facility configuration and operation system, giving a comforting messag existing customers who were concerned about its temporary hold by asserting that stem cell banking itself was not within t inspection scope and hasn't been interrupted by the FDA inspection.

SOURCE Human Biostar

EXHIBIT
B