

PATOU GARY  
Form 4  
December 29, 2004

**FORM 4** UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
PATOU GARY

2. Issuer Name and Ticker or Trading Symbol  
OSCIENT PHARMACEUTICALS  
CORP [OSCI]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
1000 WINTER ST.  
(Street)

3. Date of Earliest Transaction  
(Month/Day/Year)  
12/27/2004

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
Chief Medical Officer

WALTHAM, MA 02451

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|-----------------------------------|
|                                 |                                      |  | Code                           | V   | Amount  | (A) or (D)   | Price                             |
| Common Stock <sup>(1)</sup>     | 12/27/2004                           |  | M                              |   | 12,814  | A  | \$ 0.07                           |
| Common Stock <sup>(1)</sup>     | 12/27/2004                           |  | S                              |   | 10,000  | D  | \$ 3.6                            |
| Common Stock <sup>(1)</sup>     | 12/28/2004                           |  | M                              |   | 6,407   | A  | \$ 0.07                           |
| Common Stock <sup>(1)</sup>     | 12/28/2004                           |  | S                              |   | 5,000   | D  | \$ 3.53                           |
| Common Stock <sup>(1)</sup>     | 12/29/2004                           |  | M                              |   | 51,256  | A  | \$ 0.07                           |

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Common Stock <sup>(1)</sup> 12/29/2004 S 40,000 D \$ 3.53 54,603 D

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3)          | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) |
|---|--|--------------------------------------|--|--------------------------------|---|--|---|
|   |  |                                      |  | Code                           | V (A) (D)   | Date Exercisable Expiration Date                         | Title Amount or Number of Shares                              |
| Employee Stock Option (right to buy) <sup>(1)</sup> | \$ 0.07  | 12/27/2004                           |  | M                              | 12,814  | 01/01/2004 02/09/2013                                    | Common Stock 6,407  |
| Employee Stock Option <sup>(1)</sup>                | \$ 0.07  | 12/28/2004                           |  | M                              | 6,407   | 01/01/2004 02/09/2013                                    | Common Stock 6,407  |
| Employee Stock Option <sup>(1)</sup>                | \$ 0.07  | 12/29/2004                           |  | M                              | 51,256  | 01/01/2004 02/09/2013                                    | Common Stock 51,256   |

## Reporting Owners

| Reporting Owner Name / Address                     | Relationships |           |                       |       |
|--|---------------|-----------|-----------------------|-------|
|  | Director      | 10% Owner | Officer               | Other |
| PATOU GARY<br>1000 WINTER ST.<br>WALTHAM, MA 02451 |               |           | Chief Medical Officer |       |

## Signatures

Robert E. Farrell, Jr. Corp Controller - power of attorney 12/29/2004

\*\*Signature of Reporting Person

Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Transaction occurred in accordance with the terms and conditions of a Rule 10b5-1 Trading Plan

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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