

07-31-1998

ASSIG

HEET

Attorney Docket No. P-3040  
FORM PTO-1584  
1-31-92



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

MZD 7-28-98

100782418

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Grant W. Christie  
Carol E. Eberhardt

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other

Execution Date: August 29, 1991

Additional name(s) & address(es) attached?  Yes  No

2. Name and address of receiving party(ies)

Name: MEDTRONIC, INC.

Internal Address: M.S. 301

Street Address: 7000 CENTRAL AVENUE NORTHEAST

City: MINNEAPOLIS State: MN Zip: 55432

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is filed: September 29, 1993

A. Patent Application No.(s) 08/129,636

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Peter Forrest

Address: MEDTRONIC, INC.  
7000 Central Avenue N.E.  
M.S. 301  
Minneapolis, Minnesota 55432

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit Account Number: 13-2546  
(Attach duplicate copy of this page)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Peter Forrest

Name of Person Signing

Signature

23 July 1998

Date

Total number of pages including cover sheet, attachments and document: 5

OMB No. 0651-0011 (exp. 4-94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

07/30/1998 DNGUYEN 00000284 132546 08129636

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Public burden estimate for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), 1 Washington, D.C. 20503.

P 2294  
07/752130

## ASSIGNMENT

WHEREAS, we Grant W. Christie and Carol Elsa Eberhardt are the joint inventors of Natural Tissue Heart Valve Fixation for which we have prepared and on the 28<sup>th</sup> day of August, 1991, executed an application for filing in the United States Patent and Trademark Office preparatory to obtaining Letters Patent of the United States therefor; and

WHEREAS, Medtronic, Inc., a corporation organized and existing under the laws of Minnesota and having a principle place of business at 7000 Central Ave., N.E., Minneapolis, Minnesota 55432 hereinafter referred to as "Corporation", is desirous of acquiring the entire right, title and interest in and to said invention for the United States and for all foreign countries and in and to any and all foreign and domestic Letters Patent which may be granted therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we have jointly and severally sold, assigned, transferred and set over and by these presents do jointly and severally sell, assign, transfer and set over unto Corporation, its successors and assigns, the entire right, title and interest in and to said invention and the entire right, title and interest in and to any and all Letters Patent of the United States and any foreign countries which may be granted therefor including our rights under the International Convention for the Protection of Industrial Property, and in and to any and all extensions, divisions or reissues of said Letters Patent that may be granted, the same to be held and enjoyed by Corporation for its own use and behoof and use and behoof of its successors and assigns to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made;

AND, for the consideration aforesaid, we materially represent to Corporation, its successors and assigns that, at the time of the execution and delivery of these presents, we are the joint lawful owners of the entire right, title and interest in and to the invention, application and Letters Patent above mentioned, and that the same are unencumbered, and that we have good right and lawful authority to sell and convey the same in the manner herein set forth;

AND, for the consideration aforesaid, we hereby individually covenant and agree to and with Corporation, its successors and assigns, that whenever its counsel or the counsel of its successors or assigns, learned in the law, shall advise that an amendment or division of, or any

continuation-in-part thereof, or any other proceeding in connection with the filing or prosecution of said domestic or foreign patent applications, including interference proceedings, is lawful and desirable, or that a reissue or extension of said Letters Patent is lawful and desirable, we, or our executors, administrators or assigns will sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or extension of the same, without charge to Corporation, its successors or assigns, but at Corporation's expense.

We hereby request the Honorable Commissioner of Patents and Trademarks to issue the Letters Patent to Corporation in accordance with this instrument.

IN WITNESS WHEREOF, we have hereunto set our hands on the date as stated below:

8/28/91  
Date  
8/28/91  
Date

Grant W. Christie  
Grant W. Christie  
Carol Elsa Eberhardt  
Carol Elsa Eberhardt

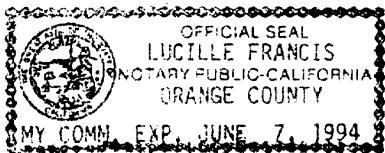
REEL 5832 FRAME 372

STATE OF California  
COUNTY OF Orange ss.

On this 28th day of August, 1991, before me personally appeared Grant W. Christie to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.

Lucille Francis  
Notary Public



STATE OF California

COUNTY OF Orange

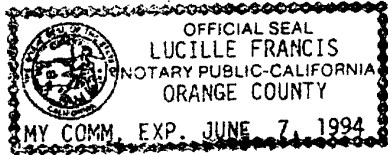
SS.

On this 28th day of August, 1991, before me personally appeared Carol Elsa Eberhardt to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written

Lucille Francis  
Notary Public

ASSIGN 2.294



REEL 5832 FRAME 373

RECORDED  
PATENT & TRADEMARK OFFICE  
AUG 29 91



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

RECEIVED

DATE: 10/03/91  
TO:  
SANDRA S. SCHULTZ  
MEDTRONIC, INC.  
7000 CENTRAL AVE., N.E.  
MINNEAPOLIS, MN 55432

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS, ON THIS NOTICE, PLEASE SEND A REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:  
CHRISTIE, GRANT W.

DOC DATE: 08/28/91

ASSIGNOR:  
EBERHARDT, CAROL E.

DOC DATE: 08/28/91

RECORDATION DATE: 08/29/91    NUMBER OF PAGES 004    REEL/FRAME 5832/0370

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:  
MEDTRONIC, INC.  
A CORP. OF MINNESOTA  
7000 CENTRAL AVENUE, N.E.  
MINNEAPOLIS, MINNESOTA 55432

SERIAL NUMBER    7-752130    FILING DATE    08/29/91  
PATENT PATENT                       ISSUE DATE    00/00/00

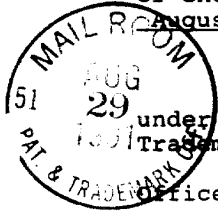
PATENT  
REEL: 9346 FRAME: 0505

Docket P-2294

CERTIFICATE OF MAILING/FACSIMILE

752100/10

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal service on August 29, 1991 with sufficient postage as:



First Class mail  
 Express Mail Post Office to Addressee  
(Express Mailing Label No. AB108593694)  
under 37 CFR 1.10, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231; or,  
 is being transmitted by facsimile to the Patent and Trademark Office.

Date: August 29, 1991

By: Cynthia B Pacheco  
Cynthia B. Pacheco

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Christie, et al. )  
Serial No.: )  
Filed: Herewith )  
For: NATURAL TISSUE HEART )  
VALVE FIXATION )

91 SEP 17 1991

REEL 5832 FRAME 370

TRANSMITTAL OF ASSIGNMENT

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

93220951

Dear Sir:

Please record the enclosed assignment of the above-identified application to Medtronic, Inc.

Please charge our Deposit Account No. 13-2545 (File No. P-2294) the sum of \$8.00 for recordation. If there are any additional fees necessary, please charge to our Deposit Account No. 13-2545 (File P-2294). Two duplicate copies of this sheet are enclosed.

Respectfully submitted,

*Sandra S. Schultz*

Sandra S. Schultz  
Reg. No. 29,436

P 30017 09/30/91 07751130  
MEDTRONIC, INC.  
7000 Central Ave., N.E.  
Minneapolis, MN 55432  
Phone (714) 476-6297  
ASGNTRM 2294 09/30/91 07752130

13-2545 130 518 8.0000

L013016 09/05/91 07751130

13-2545 030 518 8.0000

13-2545 130 518 PATENT P-2294

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

GRANT W. CHRISTIE AND  
CAROL E. EBERHARDT

Application No. 08/129,636

Filed September 29, 1993

Invention:

NATURAL TISSUE HEART VALVE FIXATION

**Request to Amend Assignment Records  
or to Re-Record Assignment**

Assistant Commissioner for Patents  
BOX ASSIGNMENT  
Washington, DC 20231

Dear Sir:

Please amend the assignment records for the Assignment of Assignors Interest recorded at Reel 5832, Frame 0370 (copy enclosed) to show that such document also applies to patent application number 08/129,636, filed September 29, 1993, for the reasons explained below. In the alternative, please re-record the enclosed true and accurate copy of a previously recorded assignment.

The previously recorded Assignment explicitly pertains to "the invention" identified as **Natural Tissue Heart Valve Fixation**, which invention was the subject of a patent application bearing the same title. That application was executed on August 28, 1991 and subsequently filed as Application No. 07/752,130 having a filing date of August 29, 1991. The application was subsequently abandoned, but a second application, Application No. 08/129,636, was filed on September 29, 1993. The second application was identical (but for amendments to the claims not relevant to the issues of ownership and assignment), to Application No. 07/752,130, the subject of the previously recorded Assignment.

The Board of Appeals and Interferences, in a decision dated February 19, 1998 (Paper No. 25, copy enclosed), explicitly found that "while it is true that [applicants'] first filed application, Ser. No. [sic, Application No.] 07/752,130, went abandoned for failure to file a response to the final rejection therein, this does not constitute or in any way alone evidence an intent to abandon the invention on which that application was based" (Paper No. 25, page 4).


Thus, the application before the Board, Application No. 08/129,636, is the subject of the previously recorded Assignment, which pertains to "the invention" and not specifically to only Application No.

07/752,130. Please amend the assignment records accordingly and, per the explicit request of the assignors in the previously recorded assignment, issue the patent issuing on Application No. 08/129,636 in the name of the Assignee, Medtronic, Inc. of Minneapolis, Minnesota. The Issue Fee Transmittal has been completed on that basis.

In the alternative, the previously submitted Assignment is being re-submitted, and a new fee for recordation is being paid. Please record the assignment and indicate in the assignment records that it pertains to Application No. 08/129,636.

If there is any additional fee due for any reason, you are authorized to charge the fee to Deposit Account 13-2546.

If you have any questions, please do not hesitate to contact me at once.

Very truly yours,  
  
Peter Forrest  
Registration Number 33,235  
Attorney for Applicants

July 23, 1998

MEDTRONIC, INC.  
7000 Central Avenue NE  
Minneapolis, Minnesota 55432 USA  
(612) 514-6402 (direct voice line)  
(612) 514-3323 (direct facsimile)  
peter.forrest@medtronic.com (e-mail)