

MRD

7-28-98

08-06-1998



ET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of

100786531

attached original documents or copy thereof.

1. Name of conveying party(ies)

Lee M. Middleman and Walter R. Pyka

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

2. Name and address of receiving party(ies)

Name: Medtronic, Inc.

Internal Address: \_\_\_\_\_

Street Address: 7000 Central Avenue N.E.

City: Minneapolis State: MN ZIP: 55432-3576

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

JCS42 U.S. PTO  
09/123614  
07/28/98

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other \_\_\_\_\_

Execution Date: April 16, 1998 (Lee M. Middleman)  
July 23, 1998 (Walter R. Pyka)

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

If this document is being filed together with a new application, the filing date of the application is: 07/28/98

A. Patent Application No.(s)

09/123614

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Karin E. Peterka, Esq.

Internal Address: SHELDON & MAK, INC.  
Street Address: 225 South Lake Avenue, Suite 900  
City: Pasadena State: CA ZIP: 91101

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:  
19-2090

(Attach duplicate copy of this page if paying by deposit account)

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.

Karin E. Peterka

Name of Person Signing

Karin E. Peterka

Signature

July 28, 1998

Date

Total number of pages comprising cover sheet: 1

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

08/08/1998 JMK/KMS 0000023 09123614 40.00 UP  
01 FC:581

# ASSIGNMENT

WHEREAS, I LEE M. MIDDLEMAN have invented certain new and useful improvements disclosed in an application for United States Letters Patent titled DEVICE FOR ANCHORING TUBULAR ELEMENT, a patent application serial number to be assigned and executed by me, on the date listed below.

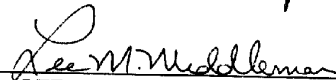
AND WHEREAS MEDTRONIC, INC., a Minnesota corporation, having a place of business at 7000 Central Avenue N.E. Minneapolis Minnesota 55432-3576, (hereinafter, together with any successors, legal representatives of assigns thereof, called "Assignee"), wants to acquire the entire right, title, and interest in and to said improvements and application:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to Assignee the entire right, title, and interest in and to said improvements, and said application and all divisions, substitutions, continuations and continuations-in-part thereof, and all United States Letters Patents which may be granted thereon and all reissues and extensions thereof, and all priority rights under the International Convention for the Protection of Industrial Property for every member country, and all applications for patents (including related rights such as utility-model registrations, inventor(s) certificates, and the like), heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all extensions, renewals, and reissues thereof) granted for said improvements in any foreign countries; and I hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said improvements to Assignee in accordance with the terms of this assignment;

AND I HEREBY covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

AND I HEREBY further covenant and agree that I will communicate to Assignee any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuations-in-part, substitute and reissue applications, make all rightful oaths, and generally do everything possible to aid Assignee to obtain and enforce proper patent protection for said improvements in all countries.

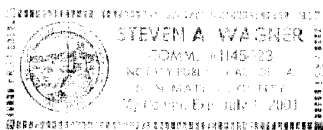
IN TESTIMONY WHEREOF, I hereunto set my hand this 16 day of April, 1998.

  
LEE M. MIDDLEMAN

STATE OF CALIFORNIA  
                    ) ss.  
COUNTY OF SAN MATEO

On APRIL 16th 1998, before the undersigned, a Notary Public for the State and County aforesaid, personally appeared Lee M. Middleman, known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the above assignment, and acknowledged that he/she executed the same in his/his/their authorized capacity(ies), and that by his/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



  
\_\_\_\_\_  
(Notary Public)

**ASSIGNMENT**

WHEREAS, I WALTER R. PYKA, M.D. have invented certain new and useful improvements disclosed in an application for United States Letters Patent titled **DEVICE FOR ANCHORING TUBULAR ELEMENT**, a patent application serial number to be assigned and executed by me, on the date listed below.

AND WHEREAS **MEDTRONIC, INC.**, a **Minnesota** corporation, having a place of business at 7000 Central Avenue N.E. Minneapolis, Minnesota 55432-3576, (hereinafter, together with any successors, legal representatives of assigns thereof, called "Assignee"), wants to acquire the entire right, title, and interest in and to said improvements and application:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to Assignee the entire right, title, and interest in and to said improvements, and said application and all divisions, substitutions, continuations and continuations-in-part thereof, and all United States Letters Patents which may be granted thereon and all reissues and extensions thereof, and all priority rights under the International Convention for the Protection of Industrial Property for every member country, and all applications for patents (including related rights such as utility-model registrations, inventor(s) certificates, and the like), heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all extensions, renewals, and reissues thereof) granted for said improvements in any foreign countries; and I hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said improvements to Assignee in accordance with the terms of this assignment;

AND I HEREBY covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

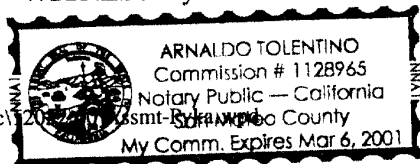
AND I HEREBY further covenant and agree that I will communicate to Assignee any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuations-in-part, substitute and reissue applications, make all rightful oaths, and generally do everything possible to aid Assignee to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand this 23rd day of July, 1998.  
Walter R. Pyka M.D.  
WALTER R. PYKA, M.D.

STATE OF California)  
) SS.  
COUNTY OF San Mateo)

On July 23, 1998, 1998, before the undersigned, a Notary Public for the State and County aforesaid, personally appeared Walter R. Pyka M.D., known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the above assignment, and acknowledged that he/she executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Arnaldo Tolentino  
Arnaldo Tolentino (Notary Public)  
PATENT

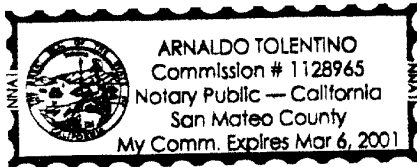
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of San Mateo } ss.

On July 23, 1998, before me, Arnaldo Tolentino, Notary Public,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Walter R. Pyka M D,  
Name(s) of Signer(s)

personally known to me  
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Assignment (Re: Device for Anchoring Tubular Element)

Document Date: July 23, 1998 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

- Signer's Name: \_\_\_\_\_
- Individual
  - Corporate Officer — Title(s): \_\_\_\_\_
  - Partner —  Limited  General
  - Attorney in Fact
  - Trustee
  - Guardian or Conservator
  - Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

