

09-08-1998

U.S. DEPARTMENT OF COMMERCE
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Doclet No. 232/276



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To the Honorable Commissioner of Patents and Trade.

ents or copy thereof.

1. Name of conveying party(ies):
Federico J. Benetti, Charles S. Taylor, Michael V. Morejohn
Additional name(s) of conveying party(ies) attached? ☐ Yes
☒ No

2. Name and address of receiving party:
Name: CardioThoracic Systems, Inc.

Internal Address: _____

City: _____ State: _____ Zip: _____

Street Address: 10600 North Tantau Avenue

City: Cupertino State: CA Zip: 95014-0739

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

3. Nature of conveyance:
☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: July 30, 1998, July 23, 1998 and July 17, 1998

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: _____

A. Patent Application No(s). Serial No. 09/071,757

B. Patent No(s): _____

Additional numbers attached? ☐ Yes ☒ No

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

Name: Kurt T. Mulville

Internal Address: LYON & LYON LLP
633 West Fifth Street, Suite 4700
Los Angeles, CA 90071-2066

6. Total number of applications and patents involved: 1

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

☒ Enclosed

☒ Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: 12-2475

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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.

Date: August 17, 1998

Kurt T. Mulville, Reg No. 37,194

Total number of pages including cover sheet: 8

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

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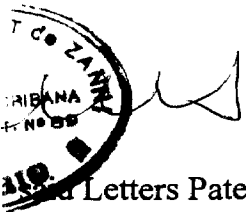
Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. 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), Washington, D.C. 20503

ASSIGNMENT

WHEREAS, WE, FEDERICO J. BENETTI, a citizen of ARGENTINA, CHARLES S. TAYLOR, a citizen of U.S.A. and MICHAEL V. MOREJOHN, a citizen of U.S.A. (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled **XYPHOID ACCESS FOR CARDIAC SURGICAL PROCEDURES** for which application for Letters Patent of the United States of America was filed on May 1, 1998, assigned Serial No. 09/071,757; and

WHEREAS, **CARDIOTHORACIC SYSTEMS, INC.** a corporation organized and existing under and by virtue of the laws of the State of California and having its principal place of business at **10600 North Tantau Avenue, Cupertino, California 95014-0739** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue



Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at _____, Argentina, this

30 day of Aug, 1956

FÉDERICO J. BENETTI

COUNTRY OF ARGENTINA)
) ss
_____)

On _____ before me, _____, personally appeared
FÉDERICO J. BENETTI

☐ personally known to me

- OR -

☐ 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.

WITNESS my hand and official seal.


Notary Public in and for
said County and State

Certif. efectuada en Foja
Notarial de certificación
Nº. 2318936





WITNESS my hand at Cupertino - 10000N Tantau Ave, Cupertino California, this
23 day of July, 1998

Charles S. Taylor
CHARLES S. TAYLOR

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss

On 7/23/98 before me, Candy R. McKeon, personally appeared
CHARLES S. TAYLOR

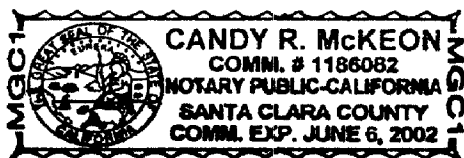
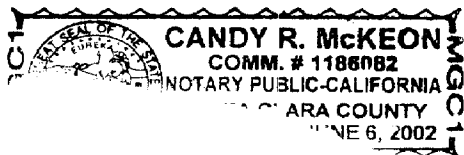
☒ personally known to me

- OR -

☐ 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.

WITNESS my hand and official seal.

Candy R. McKeon
Notary Public in and for
said County and State



WITNESS my hand at 10600N. Tantau Ave. Cupertino, CA, California, this
17th day of July, 1998.

Michael V. Morejohn
MICHAEL V. MOREJOHN

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss

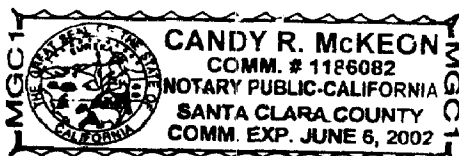
On 7/17/98 before me, Candy R. McKeon, personally appeared
MICHAEL V. MOREJOHN

☒ personally known to me

- OR -

☐ 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.

WITNESS my hand and official seal.



Candy R. McKeon
Notary Public in and for
said County and State



CERTIFICACION DE FIRMAS o
de IMPRESIONES DIGITALES
(Ley 6898 art.12 y Decret. 1612/95 art. 10)

Nº 2318936

Rosario, 30 - - - - - de julio - - - - - de 19 98.-

De conformidad con el requerimiento obrante en el acta número 69.-
labrada en la fecha, al folio 73.- del Registro de Intervenciones
Nº 89.- del que soy titular- - en mi carácter de ESCRIBANO PUBLICO.
en uso de las atribuciones que me confieren las Leyes y Reglamentaciones
vigentes.

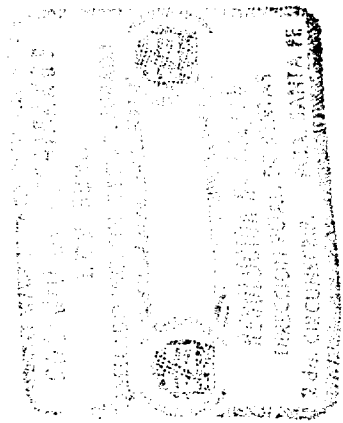
CERTIFICO

Que la/s firma/s que obra/n en el documento anexo, cuyo/s folio/s firmo y sello,
ha/n sido puesta/s en la fecha y en mi presencia por FEDERICO JOSE BENETTI.-

quien/es exhibe/n documento/s de identidad: L.E.Nº 6.073.679 y Pasaporte
Número 8.740.272.- - - - -

Tengo a la vista la documentación que acredita el carácter invocado de
Se deja constancia, de que el documento está escrito en i-
dioma inglés.-





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EL COLEGIO DE NOTARIOS DE LA PROVINCIA DE SANTA FE

SANTA FE, Republica Argentina, a los ... de ... de ...
le confiere la Ley 6841 ...

llo del Escribano con *ANA MARIA STREET de ZANNI.*

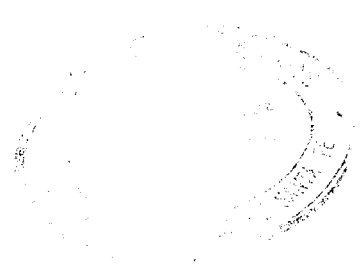


obrantes en el ...

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ción no juzga sobre el contenido y forma de ...

04 AGO 1998



Esc. ANALIA LAMAS de MARTINEL FERREYRA
Vocal Titular