

11-30-1998

FORM PTO-1595  
1-31-92COMMERCE  
Trademark Office

Docket No. 236/047

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

100907071

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

1. Name of conveying party(ies):  
THOMAS J. FOGARTY and TIMOTHY J. RYAN  
Additional name(s) of conveying party(ies) attached?  
☒ No

2. Name and address of receiving party:

Name: CARDIOTHORACIC SYSTEMS, INC.Street Address: 10600 NORTH TANTAU AVENUECity: CUPERTINOState: CAZip: 94014-0739

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other \_\_\_\_\_Additional name(s) & address(es) attached? ☐ Yes ☒ NoExecution Dates: October 15, 1998 and November 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). 09/143,995

B. Patent No(s): \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

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

Name: Nathaniel L. DilgerInternal Address: LYON & LYON LLP  
633 West Fifth Street, Suite 4700  
Los Angeles, CA 90071-20666. 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 required8. Deposit Account Number: 12-2475**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.

Nathaniel L. Dilger, Reg No. 42,485Date: 11/20/98

Total number of pages including cover sheet: \_\_\_\_\_

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

1998 PEOPLES 00000074 122475 09143995

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Documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

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

**PATENT**  
**REEL: 9600 FRAME: 0683**

A S S I G N M E N T

WHEREAS, WE, **THOMAS J. FOGARTY**, a citizen of the United States residing at 3270 Alpine Road, Portola Valley, California 94028, and **TIMOTHY J. RYAN**, a citizen of the United States residing at 851 14<sup>th</sup> Avenue, Menlo Park, California 94025, (hereinafter referred to as “ASSIGNORS”), have invented and own a certain invention entitled **DEFORMABLE CONDUITS AND METHODS FOR SHUNTING BODILY FLUID DURING SURGERY** for which application for Letters Patent of the United States of America has been executed on August 31, 1998 as U.S. Patent Application Serial No. 09/143,995; 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 94014-0739** (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 said 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 FORTOLIA VALLEY, CA,

this 17<sup>th</sup> day of NOVEMBER, 1998.

Thomas J. Fogarty  
Thomas J. Fogarty

STATE OF CALIFORNIA            )  
  ) ss  
COUNTY OF SAN MATEO        )

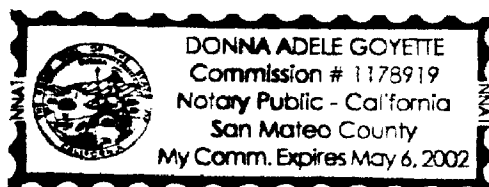
On 17, 1998  
NOVEMBER before me, DONNA ADELE GOYETTE, personally appeared  
THOMAS J. FOGARTY

☒ 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.



Donna Adele Goyette  
Notary Public in and for  
said County and State

WITNESS my hand at 10600 N. Tantau Avenue Cupertino, CA,  
this 15<sup>th</sup> day of October, 1998.

Timothy J. Ryan  
Timothy J. Ryan

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss

On 10/15/98 before me, Candy R. McKeon, personally appeared  
Timothy J. Ryan

☐ 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

