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U.S. DEPARTMENT OF COMMERCE
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Docket No. 239/106

To the Honorable Commissioner of Patents and Trademark.

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or copy thereof.

1. Name of conveying party(ies):
CHARLES S. TAYLOR; JOHN FRANTZEN; MICHAEL V. MOREJOHN, DWIGHT B. MOREJOHN, RONALD DEVORE
Additional name(s) of conveying party(ies) attached? Yes
 No

2. Name and address of receiving party:
Name: CARDIOTHORACIC SYSTEMS, INC.

Street Address: 10600 NORTH TANTAU AVENUE

City: CUPERTINO State: CA Zip: 94014-0739

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

3. Nature of conveyance: **MAR 16 1999**
 Assignment Merger
 Security Agreement Change of Name
 Other
Execution Dates: March 8 and March 9, 1999

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). 09/226,662
Additional numbers attached? Yes No

B. Patent No(s): 09-226,662

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Nathaniel L. Dilger
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.
Nathaniel L. Dilger Reg No. 42,485
Date: 3/16/99
Total number of pages including cover sheet: 8

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

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PATENT
REEL: 9834 FRAME: 0691

A S S I G N M E N T

WHEREAS, we, **JOHN J. FRANTZEN**, a citizen of the United States residing at 20 Westcliff, Laguna Niguel 92677, **CHARLES S. TAYLOR**, a citizen of the United States residing at 4380 26th Street, San Francisco, California 94131, **MICHAEL V. MOREJOHN**, a citizen of the United States residing at 2207 Willester Avenue, San Jose, CA 95124, **DWIGHT P. MOREJOHN**, a citizen of the United States residing at 731 North Campus Way, Davis, California 95616, **RONALD DEVORE**, a citizen of the United States residing at 126 Highland Oaks Way, Los Gatos, California 95032, (hereinafter referred to as "ASSIGNORS"), and has invented and own a certain invention entitled **SURGICAL CLIPS AND APPARATUS AND METHOD FOR CLIP PLACEMENT** for which application for Letters Patent of the United States of America has been executed on January 8, 1999 as U.S. Patent Application Serial No. 09/226,662; 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 sells, assigns, transfers and sets 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 have 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 10600N. Tantau Ave. Cupertino, CA,
this 9th day of March, 1999.

Charles S. Taylor
Charles S. Taylor

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss

On 3/9/99 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,
this 9th day of March, 1999.

[Signature]
Michael V. Morejohn

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) SS

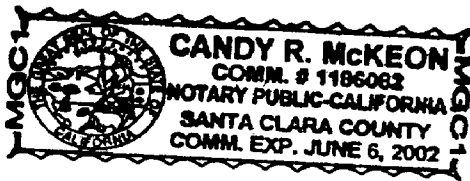
On 3/9/99 before me, Candy R. McKeon, personally appeared
Michael V. Morejohn

personally known to me

- OR -

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WITNESS my hand and official seal.



[Signature]
Notary Public in and for
said County and State

WITNESS my hand at 10600 N. Tantau Ave Cupertino CA,
this 8th day of March, 1999.

Dwight P. Morejohn
Dwight P. Morejohn

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss

On 3/8/99 before me, Candy R. McKeon, personally appeared
Dwight P. Morejohn

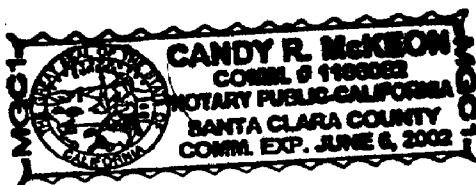
personally known to me

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WITNESS my hand and official seal.

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



WITNESS my hand at 10600N. Tantau Cupertino, CA,
this 8th day of March, 1999.

Ronald Devore
Ronald Devore

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) SS

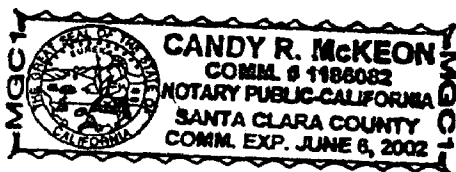
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Ronald Devore

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WITNESS my hand and official seal.



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