

MND 4-27-99

PATENT RECORDATIC  
COVER SHEET

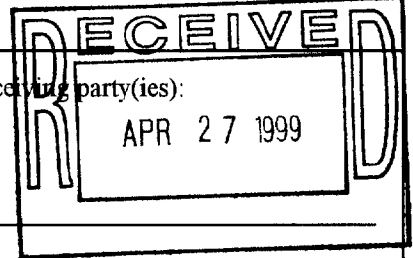
05-05-1999

Attorney Docket No.  
E33.94-0001

To the Commissioner for Patents: Please record

101029576

reof.



## 1. Name of conveying party(ies):

- (1) Empi, Inc.
- 
- (2)
- 
- (3)

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

## 3. Nature of Conveyance:

- ☒
- Assignment [ ] Merger [ ] Security Agreement
- 
- [ ] Change of Name [ ] Other \_\_\_\_\_

Execution Date: April 1, 1999

## 2. Name and address of receiving party(ies):

Name: Empi, Corp.

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

Street Address: 599 Cardigan RoadCity: St. Paul, State: Minnesota ZIP 55126

Additional name(s) &amp; address(es) attached? [ ] Yes [X] No

## 4A. Application No.(s)

See Exhibit A

If this document is being filed together with a new application, the execution date(s) of the application is: \_\_\_\_\_

Additional numbers attached? ☒ Yes [ ] No

## 4B. Patent No.(s)

Additional numbers attached? [ ] Yes [X] No

08 490 847

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

Name: David R. Fairbairn  
Street Address: Kinney & Lange, P.A.,  
312 South Third Street  
City: Minneapolis State: MN ZIP 55415-1002

## 6. Total number of applications and patents involved: [13]

7. Total fee (37 C.F.R. 3.41):.....\$ 520.00

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.

David R. Fairbairn

4/23/99

Date

Total number of pages including cover sheet, attachments and document: [3]

05/04/1999 DNGUYEN 00000191 08490847

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**EXHIBIT A**  
**(PENDING APPLICATION)**

Attorney Docket No.

**E33.94-0001**

<u>Serial No.</u>	<u>Filing Date</u>
08/490,847	06/15/95
08/679,073	07/12/96
08/679,087	07/12/96
08/679,067	07/12/96
08/679,073	07/12/96
08/977,970	06/18/97
29/072,697	06/24/97
29/072,753	06/24/97
08/989,304	12/12/97
08/990,080	12/12/97
08/916,602	08/22/97
29/082,131	01/15/98
09/021,795	02/11/98

# ASSIGNMENT (PENDING APPLICATION)

Attorney Docket No.

E33.94-0001

WHEREAS, Empi, Inc., a corporation organized and existing under the laws of the State of Minnesota, and having offices at 599 Cardigan Road, St. Paul, Minnesota 55126-4009 ("Assignor"), is an owner of the following patent applications for Letters Patent of the United States identified in the United States Patent and Trademark Office:

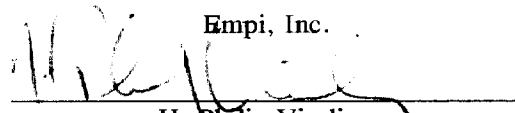
<u>Serial No.</u>	<u>Filing Date</u>
08/490,847	06/15/95
08/679,073	07/12/96
08/679,087	07/12/96
08/679,067	07/12/96
08/679,073	07/12/96
08/977,970	06/18/97
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29/072,753	06/24/97
08/989,304	12/12/97
08/990,080	12/12/97
08/916,602	08/22/97
29/082,131	01/15/98
09/021,795	02/11/98;

WHEREAS, Empi Corp., a corporation organized and existing under the laws of the State of Minnesota, and having offices at 599 Cardigan Road, St. Paul, Minnesota 55126-4009, ("Assignee") is desirous of acquiring the Assignor's entire right, title and interest in and to the invention, the application, and any and all Letters Patent or similar legal protection, foreign or domestic, to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Assignor transfers to Assignee, its successors and assigns, its entire right, title and interest in and to the invention, the above-identified application, corresponding domestic and foreign applications, all Letters Patent or similar legal protection issuing thereon, and all rights and benefits under any applicable treaty or convention; and Assignor authorizes the Commissioner of Patents and Trademarks of the United States or foreign equivalent thereof to issue the Letters Patent or similar legal protection to the Assignee.

Assignor authorizes the Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent or similar legal protection, in its own name if desired, in any and all foreign countries.

Assignor represents to the Assignee, its successors and assigns, that it has not and shall not execute any writing or do any act whatsoever conflicting with this Assignment. Assignor, its executors or administrators, will at any time upon request, without additional consideration, but at the expense of the Assignee, its successors and assigns, execute such additional writings and do such additional acts as the Assignee, its successors and assigns, may deem desirable to perfect its enjoyment of this grant, and render all assistance in making application for and obtaining, maintaining, and enforcing the Letters Patent or similar legal protection on the invention in any and all countries.

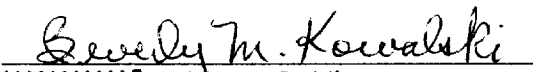
  
Empi, Inc.  
H. Philip Vierling  
President and Chief Operating Officer

STATE OF MINNESOTA )

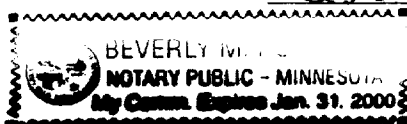
) ss.

COUNTY OF )

Subscribed and sworn to before me, a Notary Public, this 1st day of April, 1999

  
Beverly M. Kowalski  
Notary Public

(SEAL)



RECORDED: 04/27/1999

PATENT  
REEL: 9921 FRAME: 0256