

05-27-1999

MRO 5-21-99

Attorney Docket No. 16828A-001500US



FORM PTO-1595  
(Rev. 6-93)

101047890  
(Patents Only)

heet

U.S. Department of Commerce  
Patent and Trademark Office

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof

1. Name of conveying party(ies):  
**SYMPHONIX DEVICES, INC.**  
Additional name(s) of conveying parties attached?  
 Yes  No.

2. Name and address of receiving party(ies)  
Name: **VibRx, Inc.**  
Internal Address:  
Street Address: **3047 Orchard Parkway**

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other:  
Execution Date: **6 May 1999**

City: **San Jose** State: **CA** ZIP: **95134**  
Additional names and addresses attached?  Yes  No

4. Application Number(s) or Patent Numbers.  
If this document is being filed together with a new application, the execution date of the application is:  
A. Patent Application No(s): **08/736,302** B. Patent No(s):  
Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: **JAMES M. HESLIN  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200**

6. Total number of applications and patents involved **1**  
7. Total fee (37 CFR 3.41): -----**\$40.00**  
 Enclosed  Charge Fees to Deposit Account  
 Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.  
8. Deposit account number: **20-1430**

(05/26/1999 06HABAZZ 00000164 201430 0873630P  
03 08:58\* 40.00 PP)

DO NOT USE THIS SPACE

9. Statement and signature.  
*To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.*  
**JAMES M. HESLIN**  
Name of Person Signing  Signature **18 May 1999** Date  
Atty Reg. No. 29,541  
Total number of pages including cover sheet, attachments and document **2**

10. Change Correspondence Address to that of Part 5?  Yes  No  
OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover to:  
Do not detach this portion  
Asst. Commissioner for Patents  
Box: Assignments  
Washington, D.C. 20231

PA 192873 v1

PATENT  
REEL: 009970 FRAME: 0909

ASSIGNMENT

WHEREAS, SYMPHONIX DEVICES, INC., of 3047 Orchard Parkway, San Jose, California 95134, hereinafter referred to as "ASSIGNOR," is the owner of all rights in certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: APPARATUS AND METHOD FOR SONICALLY ENHANCED DRUG DELIVERY

Filing Date October 24, 1996

Serial No.: 08/736,302

WHEREAS, VibRx, Inc., of c/o Symphonic Devices, Inc., 3047 Orchard Prkway, San Jose, California 95134, hereinafter referred to as "ASSIGNEE," wants to acquire an interest in the invention and application and in any Letters Patent and Registrations that may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, this Assignment is executed this 6<sup>th</sup> day of May, 1999.

BY: [Signature]  
NAME: AGM FORBUSH  
TITLE: CEO  
Symphonix Devices Inc.

F:\DATA\PA2\PTOD\JMH\202361