

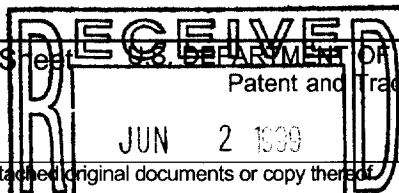
06-07-1999

FORM PTO-1595  
(Rev. 6-93)  
OMD No. 0651-001



101057512

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



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

1. Name of conveying party(ies):  
**Samer Abdel-Malik Nashef**  
*MAL 6-2-99*

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

2. Name and address of receiving party(ies):  
Name: **ALBA CRITICAL CARE LIMITED**

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

Street Address: **Strathclyde Business Park**

City: **Bellshill, Lanarkshire ML4 3NJ** State: ZIP: \_\_\_\_\_

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

3. Nature of Conveyance:  
 Assignment  Change of Name  
 Security Agreement  
 Other \_\_\_\_\_  
 Merger

Execution Date: **03/04/99**

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)	B. Patent No.(s)
	<b>5,682,899</b>

Additional numbers attached? \_\_\_\_\_

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

Name: **Blakely, Sokoloff, Taylor & Zafman LLP**

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

Street Address: **12400 Wilshire Boulevard**  
**7th Floor**

City: **Los Angeles** State: **CA** ZIP: **90025**

6. Total number of applications and patents involved: **1**

7. Total Fee (37 CFR 3.41).....\$ **40.00**

Enclosed  
 Authorized to be charged to deposit account

8. Deposit Account Number:  
**02-2666**  
(Attach duplicate copy of this page if paying by deposit account)

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 copy of the original document.*

**James Henry, 41,064** \_\_\_\_\_ **June 1, 1999**  
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: **6**

Mail documents to be recorded with required cover sheet information to:  
Assistant Commissioner of Patents, Box Assignments  
Washington, D.C. 20231

06/04/1999 DNGUYEN 00000296 5682899  
01 FC:581 40.00 DP

Attorney Docket No. **003432.G001**

**PATENT**  
**REEL: 009987 FRAME: 0864**

ASSIGNATION

by

MR SAMER ABDEL-MALIK NASHEF

in favour of

ALBA CRITICAL CARE LIMITED

1998

BIGGART BAILLIE  
Solicitors  
Glasgow and Edinburgh  
(CZM2:AORTECH-ALBA-SAM-NASHEF.ASS)

**PATENT**  
**REEL: 009987 FRAME: 0865**

ASSIGNATION

by

MR SAMER ABDEL-MALIK NASHEF of 16  
Allen Orchard, Brampton, Cambridgeshire,  
PE18 8NW ("the Assignor")

in favour of

ALBA CRITICAL CARE LIMITED, a  
company registered in Scotland under  
Company No. 178175 the registered office  
of which is at Phoenix Crescent,  
Strathclyde Business Park, Bellshill,  
Lanarkshire ML4 3NJ ("the Assignee")

WHEREAS:-

- (A) The Assignor is the registered proprietor of the Patent and beneficial owner of the Know-how (both as defined below);
- (B) By an option agreement dated 18 and 26 August and a further agreement dated 20 January 1999, (together "the Option Agreement") both between the Assignor and the Assignee, the Assignor has agreed, inter alia to grant an option to the Assignee to purchase certain intellectual property rights, including the Patent, the Results and the Know-how.
- (C) The Assignee has now exercised the option pursuant to the terms of the Option Agreement.

NOW IT IS HEREBY AGREED as follows:-

1. DEFINITIONS

1.1 In this Assignment, the following terms shall have the following meanings:-

"Know-how" means the know-how as defined in the Option Agreement;

"the Patent" means the patent details of which are set out in the Schedule attached to this Assignment;

"Results" means the Results as defined in the Option Agreement.

2. ASSIGNATION

The Assignor hereby assigns to the Assignee absolutely and free from all charges, incumbrances and liens for a consideration of £1 all the Assignor's rights in the Patent, the Results and the Know-how, together with all rights, powers, privileges, immunities and advantages conferred on the owners thereof and all rights, actual or contingent in respect of any past, existing or future infringements thereof together with the right to retain any damages obtained as a result of any such action.

3. MISCELLANEOUS

The Assignor undertakes at the request and expense of the Assignee to execute any further documents and to do all things that the Assignee may reasonably require to enable the Patent to be vested in the Assignee.

4. WARRANTY

4.1 The Assignor warrants to the Assignee that:-

4.1.1 the Assignor is the registered proprietor of the Patent and beneficial owner of the Know-how and the Results and is so powered to enter into this Assignment;

4.1.2 the Assignor has not whether alone or together with any other person granted any licences to use the Patent, the Know-how or the Results;

4.1.3 the Patent is in full force and the Assignor has not, whether jointly or alone by act or omission caused or permitted anything which may cause the Patent to be revoked or lapse.

4.2 The Assignor shall indemnify the Assignee against all claims, actions, damages, liabilities, costs and expenses arising out of any breach by the Assignor of any of the warranties contained in this Clause.

5. GOVERNING LAW

This Assignment shall be governed by and construed in accordance with Scots law and in the event of any dispute, the parties hereby agree to submit to the non-exclusive jurisdiction of the Scottish courts.

6. CERTIFICATE OF VALUE

It is hereby certified that this transaction does not form part of a larger transaction or a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration involved exceeds £60,000.

IN WITNESS WHEREOF these presents consisting of this and the preceding two pages, together with the Schedule, are executed by the parties as follows:-

Signed by MR SAMER ABDEL-MALIK  
NASHEF at *Huntingdon* on the  
*4th* day of *March* 1999  
in the presence of:-

*[Signature]*  
.....  
Witness *[Signature]*  
Name *P. O. DEWONG*  
Address *7, Market Hill*  
*Wharfedale Campus*

Subscribed for and on behalf of ALBA  
CRITICAL CARE LIMITED at  
on the *10<sup>th</sup>* day of *MARCH*  
1999 by *EDWARD M. D.A.D.*, one of  
its Directors in the presence of:-

*[Signature]*  
.....  
Witness *Claire Peattie*  
Name *CLAIRE PEATTIE*  
Address *9 GEMINI GROVE*  
*HOLYTOWN*

THIS IS THE SCHEDULE REFERRED  
TO IN THE FOREGOING ASSIGNATION  
BETWEEN MR SAMER ABDEL-MALIK  
NASHEF AND ALBA CRITICAL CARE  
LIMITED

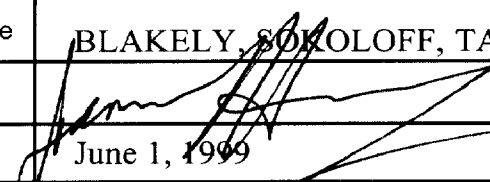
SCHEDULE


The Patent

<u>No</u>	<u>Country</u>	<u>Priority Date</u>	<u>Expiry Date</u>
5,682,899	USA	23 February 1993	22 February 2013

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	US Patent 5,682,899	
	Filing Date		
	First Named Inventor	Samer Abdel-Malik Nashef	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	9	Attorney Docket Number	003432.G001

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> To Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>  <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Assignment and Cover Sheet (6 pages)</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James Henry, 41,064 <b>BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP</b>
Signature	
Date	June 1, 1999

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on:			June 1, 1999
Typed or printed name	Pat Sullivan		
Signature		Date	06/01/99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.