

06-10-1999

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TO THE ASSISTANT COMMISSIONER FOR

101059302

documents or copy thereof.



1. Name of conveying party(ies): (If multiple assignors, list numerically)

- 1. Ammar Al-Ali
- 2. Mohamed K. Diab
- 3. Massi E. Kiani
- 4. Robert James Kopotic
- 5. David R. Tobler

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

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

Name: Masimo Corporation  
Internal Address:  
Street Address: 2852 Kelvin Avenue, Irvine, CA 92614  
City: Mission Viejo State: CA ZIP: 92614

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

09323176

5/27/99

3. Nature of conveyance:

- (X) Assignment
- ( ) Merger
- ( ) Security Agreement
- ( ) Change of Name
- ( ) Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above)

- 1. May 24, 1999
- 2. May 24, 1999
- 3. May 24, 1999
- 4. May 24, 1999
- 5. May 20, 1999

4. Application number(s) or Patent number(s):

(X) Application(s) filed herewith  
Execution Date(s):

- 1. May 24, 1999
- 2. May 24, 1999
- 3. May 24, 1999
- 4. May 24, 1999
- 5. May 20, 1999

( ) Patent Application No.:  
Filing Date:  
( ) Patent No.:  
Issue Date:

Additional numbers attached? ( ) Yes (X) No

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

Name: Stephen C. Jensen  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995  
Internal Address: Sixteenth Floor  
Street Address: 620 Newport Center Drive  
City: Newport Beach State: CA ZIP: 92660  
Attorney's Docket No.: MASIMO.108A

7. Total fee (37 CFR 3.41): \$40

(X) Enclosed  
( ) Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: one

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.

Stephen C. Jensen  
Name of Person Signing  
Registration No. 35,556

Signature

May 27, 1999  
Date

Total number of pages including cover sheet, attachments and document: 5

Mail documents to be recorded with required cover sheet information to:

06/09/1999 DNGUYEN 00000166 09323176

Assistant Commissioner for Patents  
Box Assignments  
Washington, D.C. 20231

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ASSIGNMENT

WHEREAS, We, Ammar Al-Ali, a United States citizen, residing at 2572 Elden Avenue, Apt. B., Costa Mesa, CA 92627, Mohamed K. Diab, a United States citizen residing at 26945 Diamond, Mission Viejo, CA 92691; Massi E. Kiani, a United States citizen residing at 35 Brindisi, Laguna Niguel, CA 92677; Robert James Kopotic, a United States citizen residing at 18613 Quail Trail Drive, Jamul, CA 91935; and David R. Tobler, 27335 Capricho, Mission Viejo, CA 92692, have invented certain new and useful improvements in a STEREO PULSE OXIMETER for which we have an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, Masimo Corporation (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 2852 Kelvin Avenue, Irvine, CA 92614, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 24<sup>th</sup> day of May 1998.

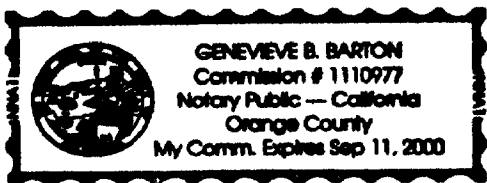
[Signature]  
Ammar Al-Ali

STATE OF California ]  
COUNTY OF Orange ] ss.

On May 24, 1998, before me, Ammar Al-Ali, personally appeared Ammar Al-Ali personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



[Signature]  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 24<sup>th</sup> day of May 1999.

Mohamed K. Diab

Mohamed K. Diab

STATE OF CALIFORNIA ]  
COUNTY OF ORANGE ] ss.

On May 24, 1999, before me, Mohamed K. Diab, personally appeared Mohamed K. Diab personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity), and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



[SEAL]

Genevieve B. Barton  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 24<sup>th</sup> day of May 1999.

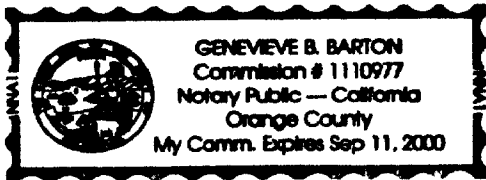
Massi E. Kiani  
Massi E. Kiani

STATE OF CALIFORNIA ]  
COUNTY OF ORANGE ] ss.

On May 24, 1999, before me, Massi E. Kiani, personally appeared Robert James Kopanic personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



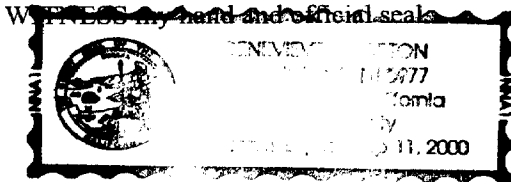
Genevieve B. Barton  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 24<sup>th</sup> day of April 1999.

R. J. Kopotic  
Robert James Kopotic

STATE OF California ]  
COUNTY OF San Diego ] ss.

On Mar 24, 1999, before me, Robert James Kopotic, personally appeared Robert James Kopotic personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



[SEAL]

Robert James Kopotic  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

\_\_\_\_\_  
David R. Tobler

STATE OF \_\_\_\_\_ ]  
COUNTY OF \_\_\_\_\_ ] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared David R. Tobler personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

\_\_\_\_\_  
Robert James Kopotic

STATE OF \_\_\_\_\_  
  ] ss.  
COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Robert James Kopotic personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20<sup>th</sup> day of May 1999

[Signature]  
David R. Tobler

STATE OF Colorado  
  ] ss.  
COUNTY OF Adams

On May 20, 1999, before me, David R. Tobler personally appeared David R. Tobler personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Notary Signature  
8-13-2002  
Exp. Date

