

06-16-1999

EL445566485US



FORM PTO-1595

101067158

U.S. DEPARTMENT OF COMMERCE

PATENTS ONLY

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): JAMES R. BRAIG, CHARLES E. KRAMER, BERNHARD B. STERLING, DANIEL S. GOLDBERGER, PENG ZHENG, ARTHUR M. SHULENBERGER, RICK TREBINO, RICHARD A. KING, and CASPER W. BARNES

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

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

OPTISCAN BIOMEDICAL CORPORATION

Internal Address: _____

Street Address: 1105 Atlantic Avenue, Suite 101

City: Alameda State: CA Zip: 94501

Additional name(s) & Address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 3/17/99, 3/17/99, 3/17/99, 3/24/99, 3/17/99, 4/28/99, 5/2/99, 3/17/99, 5/11/99

4. Application number(s) or patent numbers(s): Application No. 09/267,121

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)

Additional numbers attached? ☐ Yes ☒ No

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

Name: LaRiviere, Grubman & Payne, LLP

Internal Address: P826

Street Address: 4 Justin Court, Suite A

Post Office Box 3140

City: Monterey State: CA Zip: 93942

6. Total number of applications and patents involved:

One

7. Total fee (37 CFR 3.41): \$ 40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit Account number:

(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 information is true and correct and any attached copy is a true copy of the original document.

Francis T. Kalinski II

Name of Person Signing

Signature

June 10, 1999

Date

06/16/1999 DNGUYEN 00000030 09267121

Total number of pages comprising cover sheet 1

01 FC:581

40.00 DP

PATENT
 REEL: 010017 FRAME: 0848

ASSIGNMENT AGREEMENT

FOR good and valuable consideration, receipt of which is hereby acknowledged,

JAMES R. BRAIG, of Alameda, California;

CHARLES E. KRAMER, of Poway, California,

BERNHARD B. STERLING, of Danville, California;

DANIEL S. GOLDBERGER, of Boulder, Colorado;

PENG ZHENG, of Alameda, California;

ARTHUR M. SHULENBERGER, of Brisbane, California;

RICK TREBINO, of Atlanta, Georgia;

RICHARD A. KING, of Berkeley, California; and

CASPER W. BARNES, of Murrieta, California;

hereinafter ASSIGNORS, do hereby sell, assign and transfer unto OPTISCAN BIOMEDICAL CORPORATION, doing business at 1105 Altantic Avenue, Suite 101, Alameda, California 94501, hereinafter ASSIGNEE, its successors and assignees, the entire title, interest and right, including the right of priority, in an application for Letters Patent of the United States entitled METHOD FOR DETERMINING ANALYTE CONCENTRATION USING PERIODIC TEMPERATURE MODULATION AND PHASE DETECTION, filed herewith, and the inventions and any of them therein set forth and described, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor, and any and all provisional, divisional, reissue, continuation, substitute or renewal applications thereof which have been or shall be filed in the United States and any and all equivalents thereto in any and all foreign countries;

And for the above consideration, ASSIGNORS covenant to assign to ASSIGNEE, under identical terms herein, any and all improvements which have been or shall be developed by ASSIGNORS regarding subject matter herein;

And for the above consideration, ASSIGNORS agree promptly upon request of the ASSIGNEE, its successors and assignees, to execute and deliver without further compensation any power of attorney, assignment, application (whether original, continuation, renewal, substitute, divisional or reissue) or other papers which may be necessary or desirable fully to secure to ASSIGNEE, its successors and assignees, the inventions and any of them described in said application and patent rights therein, in the United States and in any country

foreign thereto, and to cooperate and assist in the prosecution of appeal and interference proceedings involving said inventions and/or in the adjudication or re-examination of said Letters Patent, provided that the expenses which may be incurred by ASSIGNORS in lending such cooperation and assistance be paid by ASSIGNEE; and

ASSIGNORS covenant that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by ASSIGNORS, and that full right to convey the same as herein expressed is possessed by ASSIGNORS.

This agreement constitutes the entire agreement of the parties and supersedes and cancels any and all prior and/or contemporaneous utterances, statements, representation, understandings and/or agreements whether oral and/or written in connection with this agreement.

IN WITNESS WHEREOF, ASSIGNORS agree to the above-mentioned terms and conditions as evidenced by their signatures below:

3-17-99
Date

3/17/99
Date

3-17-99
Date

3.24.99
Date

3/17/98
Date

4/28/98
Date

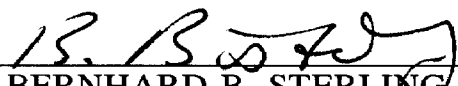
5/2/99
Date

3.17.99
Date

5/11/99
Date

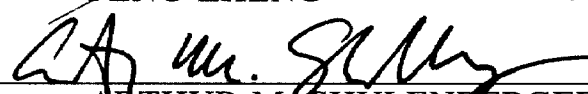

JAMES R. BRAIG


CHARLES E. KRAMER


BERNHARD B. STERLING


DANIEL S. GOLDBERGER


PENG ZHENG


ARTHUR M. SHULENBERGER


RICK TREBINO


RICHARD A. KING


CASPER W. BARNES

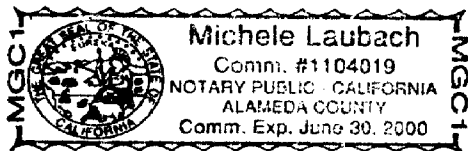
STATE OF CALIFORNIA]
COUNTY OF Alameda]

On March 17, 1999, before me, Michele Laubach,
personally appeared James R. Braig

X 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 (s)he executed the
same in his(her) authorized capacity, and that by his(her) 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.



Michele Laubach
Notary Public

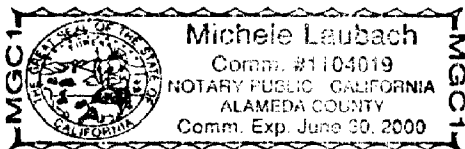
STATE OF CALIFORNIA]
COUNTY OF Alameda]

On March 17, 1999, before me, Michele Laubach,
personally appeared Charles E. Kramer

X 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 (s)he executed the
same in his(her) authorized capacity, and that by his(her) 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.



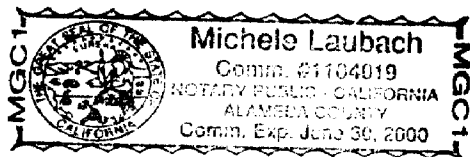
Michele Laubach
Notary Public

STATE OF CALIFORNIA]
COUNTY OF Alameda]

On March 17, 1999, before me, Michele Laubach
personally appeared Bernhard Sterling
X 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 (s)he executed the same in his(her) authorized capacity, and that by his(her) 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.



Michele Laubach
Notary Public

STATE OF CALIFORNIA]
COUNTY OF Alameda]

On March 17, 1999, before me, Michele Laubach,
personally appeared Peng Zheng
X 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 (s)he executed the same in his(her) authorized capacity, and that by his(her) 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.



Michele Laubach
Notary Public

STATE OF CALIFORNIA]
COUNTY OF Alameda]

On March 17, 1999, before me, Michele Laubach,
personally appeared Richard A. King
X 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 (s)he executed the
same in his(her) authorized capacity, and that by his(her) 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.



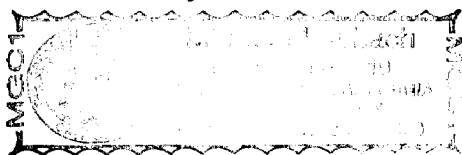
Michele Laubach
Notary Public

STATE OF CALIFORNIA]
COUNTY OF Alameda]

On April 28, 1999, before me, Michele Laubach,
personally appeared Arthur Shulenberg
X 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 (s)he executed the
same in his(her) authorized capacity, and that by his(her) 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.



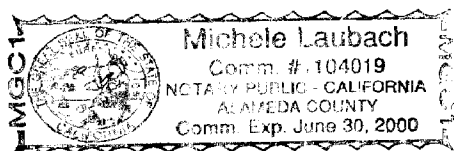
Michele Laubach
Notary Public

STATE OF CALIFORNIA]
COUNTY OF Alameda]

On May 2, 1999, 1999, before me, Michele Laubach,
personally appeared Rick Trebino
X 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 (s)he executed the
same in his(her) authorized capacity, and that by his(her) 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.



Michele Laubach
Notary Public

STATE OF CALIFORNIA]
COUNTY OF RIVERSIDE]

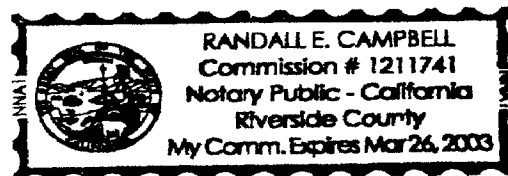
On May 11th, _____, 1999, before me, RANDALL E. CAMPBELL,
personally appeared CASPER W. BARNES _____
X personally known to me

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 (s)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.

Randall E. Campbell
Notary Public

FOR ASSIGNMENT AGREEMENT



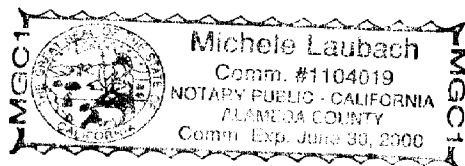
STATE OF CALIFORNIA]
COUNTY OF Alameda]

On March 24, 1999, before me, Michele Laubach,
personally appeared Daniel Goldberger

X 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 (s)he executed the
same in his(her) authorized capacity, and that by his(her) 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.



Michele Laubach
Notary Public

"Express Mail" mailing label number: EL445566485US

Date of Deposit: June 10, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box Assignment, Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name of Person Mailing Paper or Fee: Alexandria L. Malloy

Signature: *A. Malloy*

PATENT
Docket No. P826

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: JAMES R. BRAIG
CHARLES E. KRAMER
BERNHARD B. STERLING
DANIEL S. GOLDBERGER
PENG ZHENG
ARTHUR M. SHULENBERGER
RICK TREBINO
RICHARD A. KING
CASPER W. BARNES

SERIAL NO.: 09/267,121 **EXAMINER:** UNASSIGNED

FILED: MARCH 10, 1999 **ART UNIT:** 3736

FOR: METHOD FOR DETERMINING ANALYTE CONCENTRATION
USING PERIODIC TEMPERATURE MODULATION AND
PHASE DETECTION

BOX ASSIGNMENT
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

TRANSMITTAL LETTER

Dear Sir:

In connection with the above-referenced patent application, transmitted herewith are the following:

1. Recordation Form Cover Sheet, PTO-1595 (1 page);
2. Assignment Agreement (7 pages);
3. Check No. 2162 in the amount of \$40.00 in payment of recording fee; and
4. Post card in acknowledgment of receipt of transmitted materials.

Please date-stamp the enclosed post card and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,

Francis T. Kalinski II

Francis T. Kalinski II

Pat. Reg. No. 44,177

FTK/sdf

June 10, 1999

LARIVIERE, GRUBMAN & PAYNE, LLP

Post Office Box 3140

Monterey, CA 93942

(831) 649-8800

RECORDED: 06/10/1999

PATENT
REEL: 010017 FRAME: 0856