

07-12-1999



101087352

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

06515 U.S. PTO
09/342044
06/28/99

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

6.88.99

Submission Type

New

Resubmission (Non-Recordation)
Document ID#

Correction of PTO Error
Reel # Frame #

Corrective Document
Reel # Frame #

Conveyance Type

Assignment Security Agreement

License Change of Name

Merger Other

U.S. Government
(For Use ONLY by U.S. Government Agencies)

Departmental File Secret File

Conveying Party(ies)

Mark if additional names of conveying parties attached

Name (line 1) Execution Date Month Day Year

Name (line 2)

Second Party

Execution Date Month Day Year

Name (line 1)

Name (line 2)

Receiving Party

Mark if additional names of receiving parties attached

Name (line 1) If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, DC 20231

PATENT
REEL: 010075 FRAME: 0723

Correspondent Name and Address

Area Code and Telephone Number

(202) 342-8400

Name **COYNE, Patrick J.**

Address (line 1) **Collier, Shannon, Rill & Scott PLLC**

Address (line 2) **3050 K Street, N.W., Suite 400**

Address (line 3) **Washington, D.C. 20007**

Address (line 4) **United States of America**

Pages Enter the total number of pages of the attached conveyance document including any attachments.

2

Application Number(s) or Patent Number(s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year
06 25 99

Patent Cooperation Treaty (PCT)

Enter PCT application number **only if a U.S. Application Number has not been assigned.**

PCT		PCT		PCT	
PCT		PCT		PCT	

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

40.00

Method of Payment:
Deposit Account

Enclosed Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

03-2469

Authorization to charge additional fees:

Yes No

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. Charges to deposit account are authorized, as indicated herein.

PATRICKJ. COYNE, Reg. No. 31,821/
GLENNT. BARRETT, Reg. No. 38,705

06/28/99

Name of Person Signing

Signature

Date

Assignment of Application for United States Patent

WHEREAS: Howard Tanner

(hereinafter referred to as "ASSIGNOR"), having invented and owning a certain invention entitled:

DEPTH SENSOR DEVICE FOR USE IN A SURGICAL PROCEDURE

for which application for Letters Patent of the United States has been executed on JUNE 25th 1991.

WHEREAS: EVA CORPORATION
 c/o Hugh Trout, III, M.D.
 8218 Wisconsin Avenue, #204
 Bethesda, Maryland 20814

(hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire interest in, to, and under said invention and in, to, and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns, and transfers to ASSIGNEE the full and exclusive right, title, and interest in and to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute, or reissue thereof, or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted, including the right to recover for any and all past infringement of any Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention prior to the date of this Assignment.

ASSIGNOR hereby warrants and covenants that no assignment, sale, agreement, or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR further warrants and covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will

promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments, or affidavits required to apply for, obtain, maintain, issue, and enforce said application, said invention, and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, we have hereunto set hand and seal.

Dated: June 25th 1999

Howard M. Tanner
(INVENTOR/ASSIGNOR) Howard Tanner

County of: CACHE

State of: UTAH

Personally appeared Howard Tanner, signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed before me.

Subscribed and sworn to before me this 25th day of June

1999.

Patricia A. Darley
Notary Public

My commission expires on May 11, 2000

