

07-30-1999

Docket No.: 234/256

FORM PTO-1596 (Modified)  
(Rev. 8-83)  
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U.S. DEPARTMENT OF COMMERCE  
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MRD. 10-5-98

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

1. Name of conveying party(ies):  
**HELMUT L. KAYAN**  
**JAMES E. JERVIS**

Additional names(s) of conveying party(ies)  Yes  No

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

Name: **GENERAL SURGICAL INNOVATIONS, INC.**

Address: **1046 Bubb Road**

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: **September 29, 1998**

City: **Cupertino** State/Prov.: **CA**

Country: **U.S.A.** ZIP: **95014**

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

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Patent Application No.	Filing date	B. Patent No.(s)
Serial No. <del>09/113,910</del> <b>09/113827</b>	<b>July 10, 1998</b>	

Additional numbers  Yes  No

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

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

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

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

Name: **Brent D. Sokol**

Registration No. **38,621**

Address: **LYON & LYON LLP**  
**633 West Fifth Street, Suite 4700**

City: **Los Angeles** State/Prov.: **CA**

Country: **U.S.A.** ZIP: **90071-2066**

8. Deposit account number: **12-2475**

799.00 00  
574.00 00  
229.00 00  
138.00 00  
40.00 00

00000000 09113827

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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.

**Brent D. Sokol, Reg. No. 38,621** *Brent D. Sokol*  
Name of Person Signing Signature

**October 5, 1998**  
Date

Total number of pages including cover sheet, attachments, and \_\_\_\_\_

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**ASSIGNMENT**

WHEREAS, WE, **HELMUT L. KAYAN**, a citizen of the Germany residing at 222 Scenic Drive, Redwood, California 94062, and **JAMES E. JERVIS**, a citizen of the United States residing at 495 Walsh Road, Atherton, California 94027, (hereinafter collectively referred to as "ASSIGNORS"), have invented and own a certain invention entitled **APPARATUS AND METHOD FOR SURGICAL FASTENING**, for which application for Letters Patent of the United States of America was filed on July 10, 1998, assigned Serial No. 09/113,910; and

WHEREAS, **GENERAL SURGICAL INNOVATIONS, INC.**, a corporation organized and existing under and by virtue of the laws of the State of California and having a principal place of business at 1046 Bubb Road, Cupertino, California 95014, (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained

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for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement.

ASSIGNORS further covenant 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 as may be known and accessible to ASSIGNORS 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 in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

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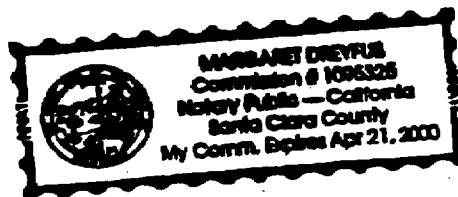
WITNESS MY HAND at Cupertino, California, this 29<sup>th</sup> day of September, 1998.

By: Helmut L. Kayan  
HELMUT L. KAYAN

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss.

On this 29<sup>th</sup> day of September, 1998, before me, a Notary Public, personally appeared HELMUT L. KAYAN, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

By: Margaret Dreyfus  
Notary Public in and for  
said County and State



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WITNESS MY HAND at Cupertino, this 29<sup>th</sup> day of  
September, 1998.

By: James E. Jervis  
JAMES E. JERVIS

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss.

On this 29<sup>th</sup> day of September, 1998, before me, a Notary Public,  
personally appeared JAMES E. JERVIS, known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged that he executed the same.

By: Margaret Dreyfus  
Notary Public in and for  
said County and State

