

08-25-1999



BOX ASSIGNMENTS

101126915

RECORDATION FORM COVER SHEET
PATENT APPLICATIONS & PATENTS ONLY

TO: The Honorable Commissioner of Patents and Trademarks:

SIR: Please Record the Attached Original Document(s) or Copy(ies) Thereof.

1. Name of Conveying Party(ies) (Assignor(s)):

1. Ralph E. Kopacko

2. Zachary D. Paul

3. Shari S. Barnett

4.

5.

6.

Additional Name(s) of Conveying Party(ies) Attached? ☐ Yes ☒ No**2. Name and Address of Party(ies) (Assignee(s)) Receiving Interest:**

Name: RESPIRONICS, Inc.

Address: 1501 Ardmore Boulevard

Pittsburgh, PA 15221

Additional Name(s) and Address(s) Attached? ☐ YES ☒ NO**3. Nature of Conveyance (Document):**(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document):☒ Assignment of : ☒ Whole ☐ Part Interest☐ Change of Name ☐ Verified Translation☐ Security Agreement ☐ Merger ☐ Other: _____Execution Date(s): August 6, 1999 and August 10, 1999**4. Application Number(s) or Patent Number(s):**

Execution date(s) on the Declaration if Filed Herewith: _____

(NOTE: If dates on declaration and assignment differ, see atty)**A. Patent Application Number(s):****B. Patent Number(s):**

09/362,402

Additional Numbers Attached? ☐ Yes ☒ No**5. Name & Address of Party to Whom Correspondence Concerning Document Should be Mailed:**

Michael W. Haas
 RESPIRONICS, Inc.
 1501 Ardmore Boulevard
 Pittsburgh, PA 15221

6. Number Involved:Appln(s) 1 + Patent(s): 0 = TOTAL 1**7. Total fee (37 C.F.R. § 3.41)**

Above Total x \$40 = \$40.00

☒ Enclosed (Check No. 212)☐ Authorized to be charged to Deposit Account No. 50-0558**5.5 Attorney Docket Number(s):** 99-02

8. If Above Fee is Missing or Inadequate, Charge the Insufficiency to Deposit Account Number: 50-0558

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.

Michael W. Haas
 Signature

10. Total number of pages including this
 cover sheet, attachments and document
 (do not file dup. Cover sheet).

3

Attorney: Michael W. HaasReg. No.: 35,174

Tel: (412) 473-5026

Date: August 18, 1999

Fax: (412) 473-5021

08/24/1999 MTHAI1 00000200 09362402

01 FC:581

40.00 OP

40E

RI-115 (Rev. 02/99)

 PATENT
 REEL: 010178 FRAME: 0523

Please return signed/recorded to:
Michael W. Haas
Intellectual Property Counsel
RESPIRONICS, Inc.
1501 Ardmore Blvd.
Pittsburgh, PA 15221-4401

Atty. Dkt. No.: 99-02

ASSIGNMENT of U.S. Patent Application

WHEREAS, the undersigned, to wit:

1) **Ralph E. Kopacko**

Post Office Address: 211 Fairview Drive, Irwin, Pennsylvania, 15642

2) **Zachary D. Paul**

Post Office Address: 124 Jefferson Drive, Pittsburgh, Pennsylvania, 15228

3) **Shari S. Barnett**

Post Office Address: 624 East End Avenue, Pittsburgh, Pennsylvania, 15221

4)

Post Office Address:

5)

Post Office Address:

6)

Post Office Address:

(hereinafter collectively ASSIGNOR), has/have made an invention known as Atty Dkt. No.: 99-02, entitled:

RESPIRATORY MASK

for which an application for Letters Patent of the United States

☐ is about to be filed as a Provisional Application in the United States Patent and Trademark Office;

☐ was filed as a Provisional Application on _____, as Appln. No.: _____

☐ was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;

☒ was filed on July 28, 1999, Appln. No.: 09/362,402

AND WHEREAS RESPIRONICS, Inc. (hereinafter ASSIGNEE), a corporation duly organized and existing under the laws of the State of Delaware and having its principal office and place of business at 1501 Ardmore Boulevard, Pittsburgh, PA 15221-4401, desires to acquire 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, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all subsequent applications based thereon including regular applications, continuations, divisions, renewal, reissues and substitutes of said application and any legal equivalent thereof, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating

to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives;

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred;

ASSIGNOR COVENANTS and AGREES with the ASSIGNEE that no assignment, sale, agreement, encumbrance or other writing or act has been or will be made or entered into that would conflict with this assignment and sale;

ASSIGNOR FURTHER 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 us and we 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; and

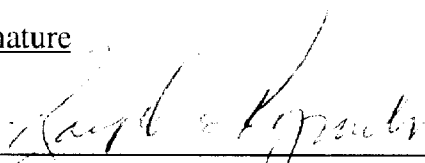
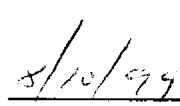
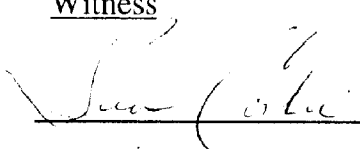
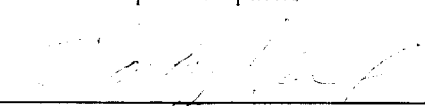



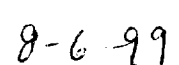
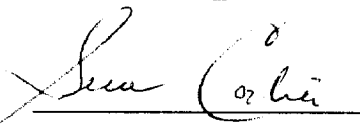
ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

Executed on the date(s) below indicated.

Signature

Date Signed

Witness

- | | | | |
|----|--|---|--|
| 1) | 
Name: Ralph E. Kopacko | 
8/10/99 | 
Shari S. Barnett |
| 2) | 
Name: Zachary D. Paul | 
8/6/99 | 
Shari S. Barnett |
| 3) | 
Name: Shari S. Barnett | 
8-6-99 | 
Shari S. Barnett |
| 4) | _____
Name: | _____ | _____ |
| 5) | _____
Name: | _____ | _____ |
| 6) | _____
Name: | _____ | _____ |

Box Assignment**TRANSMITTAL
FORM***(To be used for all correspondence after initial filing)*

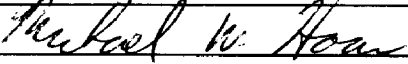
Application Number	09/362,402
Filing Date	July 28, 1999
Inventor(s)	KOPACKO et al.
Group Art Unit	Unknown
Examiner	Unknown
Attorney Docket No.	99-02

Total Number of Pages in This Submission: 6

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (submit in duplicate) <input checked="" type="checkbox"/> Fee Attached \$ 40.00 Check No.: 212	<input checked="" type="checkbox"/> Assignment Papers <input checked="" type="checkbox"/> Cover Sheet	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and cover sheet
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing - related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Affidavits / Declaration(s)	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Power of Attorney, Revocation Change of Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Terminal Disclaimer(s)	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Cited References	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund
<input type="checkbox"/> Search report	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Other Enclosure(s): _____	

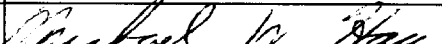
Current Due Date: None**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1501 Ardmore Boulevard, Pittsburgh PA, 15221
Signature	
Date	August 18, 1999

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents, Box Assignment, Washington, D.C. 20231 on this date: August 18, 1999.

Typed Name	Michael W. Haas, Reg. No. 35,174		
Signature		Date	August 18, 1999

FEE TRANSMITTAL

(Effective 11/10/98)

Application Number	09/362,402
Filing Date	July 28, 1999
First Named Inventor	KOPACKO et al.
Group Art Unit	Unknown
Examiner's Name	Unknown
Attorney Docket No.	99-02

"Express Mail" Label No.

TOTAL AMOUNT OF PAYMENT \$ 40.00**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge any deficiency in the indicated fees and credit any over payments to:

Deposit Account Number 50-0558

Deposit Account Name Respironics, Inc.

☒ Charge Any Fee Required Under 37 C.F.R. §§ 1.16, 1.17 and 1.20 ☐ Charge The Issue Fee Set In 37 C.F.R. § 1.18

2. ☒ Payment Enclosed:
Check (Check No. 212)

FEE CALCULATION (continued)**3. ADDITIONAL FEES****FEE CALCULATION (fees effective 11/10/98)****1. FILING FEE**

Large Fee	Entity (\$)	Small Fee	Entity (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) \$**2. CLAIMS**

	Extra Claims	Fee from Below	Fee Paid
Total Claims	___	___ x 18 =	
Independent Claims	___	___ x 78 =	
Multiple Dependent Claims add		260 =	

* Enter Highest Number Previous Paid For

Large Fee	Entity (\$)	Small Fee	Entity (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or declaration	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
145	100	145	100	Certificate of Correction	
147	2,520	147	2,520	For filing a request for reexamination	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	380	216	190	Extension for response within second month	
117	870	217	435	Extension for response within third month	
118	1,360	218	680	Extension for response within fourth month	
128	1,850	228	925	Extension for response within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,210	241	605	Petition to revive unintentionally abandoned application	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
148	110	248	55	Statutory Disclaimer	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of property)	40.00
146	760	246	380	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
149	760	249	380	For each additional invention to be examined (37 C.F.R. § 1.129(b))	

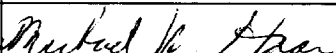
Other Fee (specify) _____

Other Fee (specify) _____

SUBTOTAL (3)**\$ 40.00**

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature		Date	August 18, 1999
		Deposit Account Number	50-0558

PATENT

REEL: 010178 FRAME: 0527RI-104 A (Rev. 05/99)

RECORDED: 08/20/1999