

8-30-99

FORM PTO-1619A
Expires 06/30/99
OMB 0651-0027

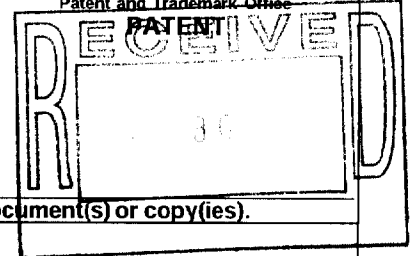
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- Correction of PTO Error
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Conveyance Type

- Assignment Security Agreement
 - License Change of Name
 - Merger Other _____
- U.S. Government**
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- Departmental File Secret File

Conveying Party(ies)

- Mark if additional names of conveying parties attached
- Name (line 1) Andrew S. Binder Execution Date 06 07 99
Month Day Year

Second Party

- Name (line 1) _____ Execution Date _____
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- Name (line 2) _____

Receiving Party

- Mark if additional names of receiving parties attached
- Name (line 1) Orca Diagnostics Corporation 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) 1129 State Street, Suite 12
- Address (line 2) _____
- Address (line 3) Santa Barbara California 93101
City State/Country Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

- Name _____
- Address (line 1) _____
- Address (line 2) _____
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Pages **Enter the total number of pages of the attached conveyance document including any attachments.** #

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)		
<input type="text" value="09/322,320"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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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

Patent Cooperation Treaty (PCT)

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

PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>
PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>

Number of Properties **Enter the total number of properties involved.** #

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

Method of Payment: Enclosed Deposit Account

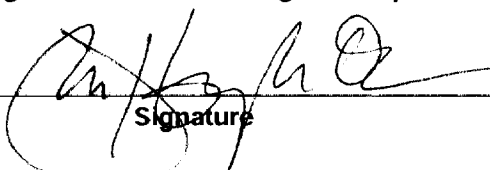
Deposit Account
(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

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.

Jeffrey M. Olson  8/24/99

Name of Person Signing **Signature** **Date**

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, I, Andrew S. Binder, a citizen of the United States of America, (hereinafter referred to as "ASSIGNOR"), have invented and own a certain invention entitled "Cardiopulmonary Exercise Testing Apparatus and Method" for which application for Letters Patent of the United States of America has been executed on May 28, 1999; and

WHEREAS, **ORCA DIAGNOSTICS CORPORATION**, a corporation organized and existing under and by virtue of the laws of the State of **California** and having its principal place of business at **1129 State Street, Suite 12, Santa Barbara, California 93101** (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, ASSIGNOR hereby sells, assigns, transfers and sets 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 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 ASSIGNOR hereby authorizes and requests 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.

