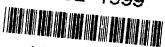
FORM PTO-1619A Expires 06/30/99 OMB 0651-0027

09-02-1999



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

FORM PTO Expires 06/30/99 OMB 0651-0027	-1619B	Page 2	U.S. Department of Commerce Patent and Trademark Office PATENT
Corresponde	ent Name and Address	Area Code and Telephone Number	(213) 489-1600
Name [Jeffrey M. Olson		
Address (line 1)	Lyon & Lyon LIP		
Address (line 2)	633 West Fifth Stre	eet, Suite 4700	
Address (line 3)	Los Angeles, Califo	ornia 90071	
Address (line 4)			
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<u>only</u>	r PCT application number <u>if</u> a U.S. Application Number not been assigned.	L	PCT
Number of P	roperties Enter the tot	tal number of properties involved. #	1
Deposit a	of Payment: Enclo Account Dayment by deposit account or if addi	for Properties Listed (37 CFR 3.41): \$ osed X Deposit Account itional fees can be charged to the account.)	40.00
		Deposit Account Number: # Authorization to charge additional fees:	12-2475 Yes X No

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Statement and Signature

indicated herein.

Name of Person Signing

Jeffrey M. Olson

PATENT REEL: 010200 FRAME: 0693

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.

PATENT REEL: 010200 FRAME: 0694 ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

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 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 in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at SANGA BARBARAT
California, this 7th-day of Mule, 1999
V and Strucke
Andrew S. Binder
STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) On (2/7/99 before me, Byal Ghusky, Fullic, personally appeared
personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)-is/are subscribed to the within instrument and acknowledged to me that he/shc/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.
WITNESS my hand and official seal.

PATENT REEL: 010200 FRAME: 0695

Notary Public in and for said County and State

RECORDED: 08/27/1999