

02-10-2000

Docket No. 212/176

MMS  
2.2.00RE



101264971

To the Honorable Commissioner of Patents and Trademarks, please record the attached original documents or copy thereof

1. Name of conveying party(ies)

Peter A. Altman  
John D. Altman  
Simon Stertz

Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party

Name: BioCardia, Inc.



Street: 384 Oyster Point Blvd. #4, South  
San Francisco, CA 94080

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

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement =  Change of Name
- Other

Execution Date: November 18, 1999

4. Application number(s) or patent number(s): \_\_\_\_\_

If this document is being filed together with a new application, the execution date of the application is: November 18, 1999

A. Patent Application No. 09/418,205

Additional Numbers attached? \_\_\_\_\_

B. Patent No. \_\_\_\_\_

Yes  No

5. Name and address of party to whom correspondence concerning this document should be sent

Name: K. David Crockett, Esq.

Internal Address:

Street Address: Crockett & Fish  
22362 Rosebriar  
City: Mission Viejo State: California ZIP 92692

6. Total number of applications and patents involved: 1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit Account Number: 03-3700

Please charge this Deposit Account if any additional fee is required.  
(Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE

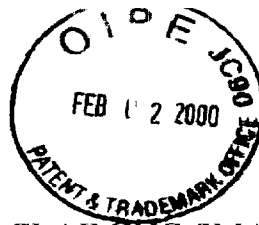
9. Statement and signature.

*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.*

K. David Crockett, Reg. No. 34,311

Date: February 2, 2000

Total number of pages comprising cover sheet: \_\_\_\_\_



212/176

### VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am  
 the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: BioCardia, Inc.  
ADDRESS OF CONCERN: 384 Oyster Point Blvd. #4, South San Francisco, CA 94080

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled Drug Delivery Catheters that Attach to Tissue and Methods for Their Use invented by: Peter A. Altman, John D. Altman and Simon Stertzer

and described in  the specification filed herewith or  the application serial no. 09/418,205 filed on October 13, 1999 or  U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business-concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME OF CONCERN: \_\_\_\_\_  
ADDRESS OF CONCERN: \_\_\_\_\_  
 Individual  Small Business Concern  Nonprofit Organization

NAME OF CONCERN: \_\_\_\_\_  
ADDRESS OF CONCERN: \_\_\_\_\_  
 Individual  Small Business Concern  Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Peter A. Altman  
TITLE OF PERSON SIGNING: CEO  
ADDRESS OF PERSON SIGNING: 384 Oyster Point Blvd. #4, South San Francisco, CA 94080

SIGNATURE  DATE: November 18, 1999