

4.25.00

Client Code: MASIMO.166GEN

RECORDATION FORM COVER SHEET **PATENTS ONLY**

TO THE ASSISTANT COMMISSIONER FOR PATENTS: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Masimo Laboratories, list numerically **700 APR 23 11 3:41**

Masimo Corporation
2852 Kelvin Avenue
Irvine, CA 92614

OPR/FINANCE

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

Name: Masimo Laboratories
Internal Address:
Street Address: 2852 Kelvin Avenue
City: Irvine **State:** CA **ZIP:** 92614

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

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

3. Nature of conveyance:

- (X) Assignment
() Merger
() Security Agreement
() Change of Name
() Other:

4. Application number(s) or Patent number(s):

See attached list

05-15-2000



101356661

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above) March 29, 2000

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

Name: Stephen C. Jensen
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995
Internal Address: Sixteenth Floor
Street Address: 620 Newport Center Drive
City: Newport Beach **State:** CA **ZIP:** 92660
Attorney's Docket No.: MASIMO.166GEN

7. Total fee (37 CFR 3.41): \$40 x 8 = \$320.00

(X) Enclosed
(X) Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 8

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.

Stephen C. Jensen
Name of Person Signing

Stephen C. Jensen
Signature

Apr. 121, 2000
Date

35,556
Registration No.

Total number of pages including cover sheet, attachments and document: 3

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents
Box Assignments
Washington, D.C. 20231

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PATENT
REEL: 010785 FRAME: 0206

APPENDIX A
U.S. PATENTS AND PENDING APPLICATIONS
MLABS

Appln. No.	Filed/ Issued	Title	Atty. Docket Number
09/061,174	04/16/98	BLOOD GLUCOSE MONITORING SYSTEM	014C1
09/088,397	06/01/98	OPTICAL FILTER FOR SPECTROSCOPIC MEASUREMENT AND METHOD OF PRODUCING THE OPTICAL FILTER	015DV1
09/318,721	5/26/99	OPTICAL FILTER FOR SPECTROSCOPIC MEASUREMENT AND METHOD OF PRODUCING THE OPTICAL FILTER	15DV1C1
09/190,719	11/12/98	ACTIVE PULSE BLOOD CONSTITUENT MONITORING	018C2

Patent No.	Filed/ Issued	Title	Atty. Docket Number
5,743,262	4/28/98	BLOOD GLUCOSE MONITORING SYSTEM	014A
5,760,910	6/2/98	OPTICAL FILTER FOR SPECTROSCOPIC MEASUREMENT AND METHOD OF PRODUCING THE OPTICAL FILTER	015A
5,638,816	6/17/97	ACTIVE PULSE BLOOD CONSTITUENT MONITORING	018A
5,860,919	1/19/99	ACTIVE PULSE BLOOD CONSTITUENT MONITORING	018C1

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CONFIRMATION OF ASSIGNMENT

WHEREAS, Masimo Corporation, a Delaware corporation having offices at 2852 Kelvin Avenue, Irvine, CA 92614 (hereinafter "ASSIGNOR"), was the record owner of certain improvements for which Assignor has received the following Letters Patents and filed the applications for Letters Patents in the United States (hereinafter "the Patents and Patent Applications") listed in the attached Appendix.

WHEREAS, Masimo Laboratories, a Delaware corporation having offices at 2852 Kelvin Avenue, Irvine, CA 92614 (hereinafter "ASSIGNEE") did purchase the entire right, title, and interest in and to the inventions disclosed in the Patents and Patent Applications;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) to Masimo Corporation and other good and valuable consideration, the receipt of which is hereby acknowledged, Masimo Corporation hereby confirms that on April 3, 1998, it sold, assigned, and transferred, and by these presents does hereby sell, assign, and transfer, unto Masimo Laboratories, its successors, legal representatives, and assigns, the entire right, title, and interest throughout the world in, to, and under the said improvements, and the said Patents and Patent Applications and all Patents that may be granted thereon, and all divisions, continuations, reissues, reexaminations, renewals, and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent that may hereafter be filed for said improvements or for the said Patents and Patent Applications in any country or countries foreign to the United States; and Masimo Corporation hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patents for said improvements and all Letters Patents resulting from the Patents and Patent Applications to Masimo Laboratories, its successors, legal representatives, and assigns, in accordance with the terms of this Agreement.

Masimo Corporation does hereby confirm that it sold, assigned, transferred, and conveyed to Masimo Laboratories, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to Masimo Laboratories, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said issued Letters Patents;

Masimo Corporation hereby covenants and agrees that it will communicate to Masimo Laboratories, its successors, legal representatives, and assigns any facts known to Masimo Corporation respecting the Patents and Patent Applications immediately upon becoming aware of those facts, and that it will testify in any legal proceeding involving any of the Patents and Patent Applications, will sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and will generally do everything possible to aid Masimo Laboratories, its successors, legal representatives, and assigns to obtain and enforce the Patents and Patent Applications in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 29th day of March, 2000.

Masimo Corporation

By: [Signature]

Name Printed: JOE KIANI

Title: President

Date: 3-29-00

STATE OF CALIFORNIA

COUNTY OF ORANGE

ss.

On March 29, 2000, before me, Vicki L. Morrison, personally appeared NAME OF ASSIGNOR personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Vicki L. Morrison
Notary Signature

