

03-28-2001

Docket No.: 0767CG-01

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



101650916

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

University of North Texas Health Science Center at Fort Worth

My-Tech, Inc.

3-12-01

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other License Agreement

Execution Date: 10/31/00; 12/04/00; 11/28/00; 11/29/00

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

Name: Cardiac Surgical Devices, Inc.

Internal Address: _____

Street Address: 2030 Main Street, Suite 1500

City: Irvine State: CA ZIP: 92614

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

4. Application number(s) or registration numbers(s):

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

A. Patent Application No.(s)

B. Patent No.(s)

6,190,304
Issued 02/20/01

Additional numbers attached? ☐ Yes ☒ No

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

Name: Charles D. Gunter, Jr.

Internal Address: _____

03/27/2001 BT0N11 00000202 6190304

01 FC:581 40.00 DP

Street Address: BRACEWELL & PATTERSON, LLP

201 Main Street, Suite 1600

City: Fort Worth State: TX ZIP: 76102

6. Total number of applications and patents involved: 1

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

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

50-0259

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.

Charles D. Gunter, Jr.

Charles D. Gunter, Jr.

Mar. 8, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 4

PATENT
REEL: 011601 FRAME: 0874

**AMENDMENT NUMBER 3 TO
SPONSORED RESEARCH AGREEMENT
BY AND BETWEEN
UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH
AND MY-TECH, INC.**

RE: Device to sustain cardiac output during resuscitation

THIS AMENDMENT NO. 3 between the UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH (hereinafter "UNTHSC") and MY-TECH, INC. (hereinafter "Sponsor") is effective as of the 1st day of October 2000 by and between UNTHSC and Sponsor.

WHEREAS, UNTHSC and Sponsor entered into a certain Agreement effective September 1, 1998 regarding a contractual relationship so that Sponsor will provide UNTHSC research program funding for the *Device to sustain cardiac output during resuscitation* project,

NOW THEREFORE, in consideration of the Original Agreement, as amended, UNTHSC and Sponsor agree to replace the following section 8. PATENTS, COPYRIGHTS AND TECHNOLOGY RIGHTS. Section 8.2 in its entirety:

Proceeds from the sale, use, license and all other revenues generated from inventions, discoveries and patents shall be divided as follows:

(1) UNTHSC agrees to the transfer of license and the assignment of the patent and technology rights from My-Tech Inc, a Nevada corporation, to Cardiac Surgical Devices Inc, a Nevada corporation, ("CSDI") covering the *Device to sustain cardiac output during resuscitation* project. Specific patents included in the license are:-

- (a) Pending serial# 09/245,633, "Removable Left Ventricular Assist Device with an Aortic Support Apparatus" filed Feb 5, 1999
- (b) Pending serial# 09/352,814 "Enhanced Intra-Aortic Ballon Assist Device" filed July 13, 1999

(2) Gross revenues in excess of \$1,500,000 received by licensee (My-Tech) or sub-licensee (CSDI) shall be subject to a 2% royalty payable to UNTHSC quarterly;

(3) UNTHSC accepts a total of 1,000,000 shares (initially 10%) of common stock in Cardiac Surgical Devices Inc, a Nevada corporation, ("CSDI") and the abovementioned 2% royalty in exchange and in full satisfaction of all Patents, copyrights and Technology rights assigned to CSDI by this **"Device to sustain cardiac output during resuscitation"** project.

(4) All future issuance of CSDI shares will result in an equal dilution of all stockholder equity.

(5) UNTHSC's Intellectual Property Policy will govern the disbursement of revenues and equities received by UNTHSC from this agreement.

(6) Nothing herein shall construe this agreement as establishing a joint venture, joint enterprise, or partnership. It is understood that any relationship created by this agreement between the parties shall be that of independent contractors. Under no circumstances shall either party be deemed an employee of the other nor shall either party act as an agent of the other party. Any and all joint venture, joint enterprise, or partnership status is hereby expressly denied and the parties expressly state that they have not formed expressly or impliedly a joint venture, joint enterprise, or partnership.

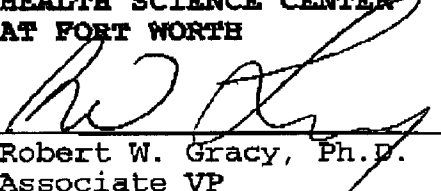
(7) Neither party will reference the other in a press release or any other oral or written statement in connection with this Agreement, except as required by the Texas Public Information Act or other law or regulation without the

express written permission of the other party. UNTHSC, however, may acknowledge MY-Tech's support in scientific or academic publications or communications without My Tech's prior approval. In any permitted statements, the parties shall describe the scope and nature of their participation accurately and appropriately.

Unless expressly modified by the provision of this Amendment No. 3, the terms of the Original Agreement, as previously amended, remain in full force and effect and are expressly ratified hereby.

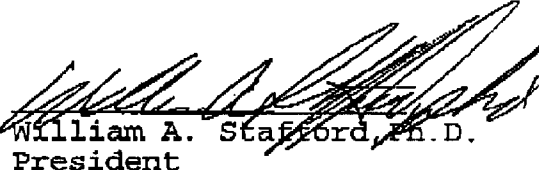
IN WITNESS WHEREOF, this Amendment No. 3 has been executed by the parties:

UNIVERSITY OF NORTH TEXAS
HEALTH SCIENCE CENTER
AT FORT WORTH



Robert W. Gracy, Ph.D.
Associate VP
for Research and Biotechnology

10/31/00
Date

MY-TECH, INC.
TAMPA, FL


William A. Stafford, Ph.D.
President

12-04-00
Date


Steve R. Russell
Acting Sr. VP, Finance & Administration

11/29/00
Date

CARDIOVASCULAR RESEARCH INSTITUTE
UNTHSC at Fort Worth
Read & Understood


Peter B. Raven, Ph.D.
Director

11-28-00
Date