

04-11-2001

ocket No.: 45568-00150

FORM PTU-1595 (Modified)  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)  
Copyright 1994-97 LegalStar  
P08/REV02

RE



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

101659999

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):

Otologics LLC  
William Howard Slattery, III, MD

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

Name: House Ear Institute

Internal Address:

Street Address: 2100 West Third Street

City: Los Angeles

State: CA

ZIP: 90057

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

3. Nature of conveyance:

3-28-01

Assignment

Merger

Security Agreement

Change of Name

Other Revocation and Reassignment

Execution Date: March 13, 2001 and March 20, 2001

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)

09/583,202

B. Patent No.(s)

04/11/2001 LMUELLER 00000004 09583202

FC:581

40.00 DP

Additional numbers attached?  Yes  No

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

Name: Thomas R. Marsh, Esq.

Internal Address: MARSH FISCHMANN &

BREYFOGLE LLP

Street Address: 3151 South Vaughn Way, Suite 411

City: Aurora

State: CO

ZIP: 80014

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:

50-1419

40E

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.

Thomas R. Marsh, Esq.

3/24/01

Name of Person Signing

Signature

Date

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

PATENT

REEL: 011653 FRAME: 0441

REVOCATION AND REASSIGNMENT

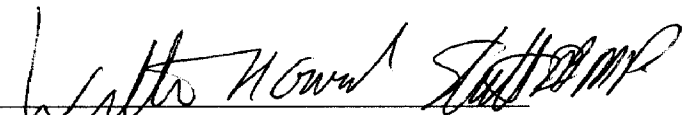
WHEREAS, William Howard Slattery, III, M.D., residing at 5171 Gould Avenue, LaCanada, California 91011, together with James Frank Kasic, II, residing at 4785 Harrison Avenue, Boulder, Colorado 80303 and Douglas Alan Miller, residing at 372 Driftwood Circle, Lafayette, Colorado 80026, have invented a certain new and useful invention entitled, "APPARATUS AND METHOD FOR MOUNTING IMPLANTABLE HEARING AID DEVICE" for which an application for Letters Patent of the United States has been prepared and filed on May 30, 2000, receiving Serial No. 09/583,202, and with respect to which an Assignment was executed by William Howard Slattery, III, M.D. on September 6, 2000, in favor of Otologics LLC, having a place of business at 5445 Airport Boulevard, Suite 106, Boulder, Colorado 80301; and

WHEREAS, William Howard Slattery, III, M.D., and Otologics LLC are desirous of effecting a complete revocation of said Assignment by William Howard Slattery, III, M.D., effective September 6, 2000, and a reassignment as provided hereinbelow;

NOW THEREFORE, for good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, (a) William Howard Slattery, III, M.D. and Otologics LLC hereby agree to a complete revocation of said Assignment by William Howard Slattery, III, M.D., effective September 6, 2000, and reassignment as provided hereinbelow, and (b) William Howard Slattery, III, M.D., does hereby sell, assign and transfer unto, House Ear Institute, a California non-profit public benefit corporation, having a place of business at 2100 West Third Street, Los Angeles, California 90057, its successors, legal representatives and assigns, his interest in the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; William Howard Slattery, III, M.D. also assigns any right, title or interest in and to the invention which has not already been transferred to the assignee; William Howard Slattery, III, M.D. warrants that he has made no prior assignment of the invention, application or patent therefor, other than that revoked hereinabove, and that he is under no obligation to make any assignment of the invention, application, or patent therefor to any other than House Ear Institute party; and William Howard Slattery, III, M.D. further agrees to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's ownership interest in the invention, but at the expense of said assignee.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date indicated hereunder.

Date: 3/13/01

By:   
William Howard Slattery, III, M.D.

Date: \_\_\_\_\_

By: Zach Cybulski  
Otologics LLC

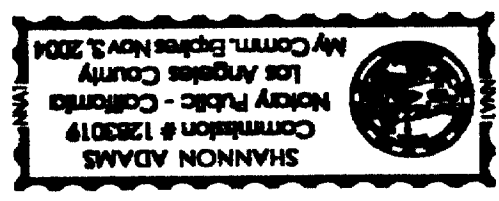
STATE OF California )  
COUNTY OF Los Angeles ) ss.

Before me, a Notary Public in and for said County and State, personally appeared William Howard Slattery, III, M.D., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 13 day of March, 2001.

Shannon Adams  
Notary Public

My Commission Expires: Nov 3, 2004



STATE OF Colorado )  
COUNTY OF Boulder ) ss.

Before me, a Notary Public in and for said County and State, personally appeared Zach Cybulski as VP of Operations of Otologics LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 28<sup>th</sup> day of March, 2001.

Pamela Witter  
Notary Public  
1075 Delta Dr, Unit F  
Lafayette, CO 80026

My Commission Expires: October 26, 2004

