

05-02-2001



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Commissioner of Patent and Trademarks:

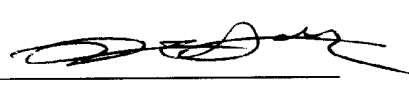
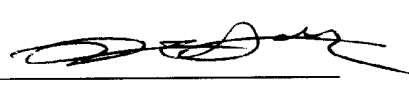
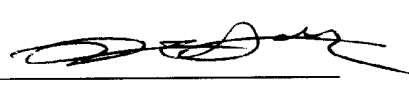
RECORDATION FORM COVER SHEET PATENTS ONLY

jc997 U.S. PTO

09/829085

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Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): <u>John A. Hibner</u> <u>James R. Giordano</u> <u>Scott D. Wampler</u> Additional name(s) of conveying party(ies) attached? __ Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: Ethicon Endo-Surgery, Inc. Street Address: 4545 Creek Rd. City: Cincinnati State: Ohio Zip: 45242 Additional name(s) & address(es) attached? __ Yes <input checked="" type="checkbox"/> No							
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment ____ Merger ____ Security Agreement ____ Change of Name ____ Other _____ Execution Date: April 6, 2001; April 9, 2001									
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: April 9, 2001 A. Patent Application No.(s) B. Patent No.(s) <u>09/829085</u> Additional numbers attached? __ Yes <input checked="" type="checkbox"/> No									
5. Name and address of party to whom correspondence concerning document should be mailed: Philip S. Johnson, Esq. Chief Patent Counsel Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003		6. Total number of applications & patents involved: <u>1</u> 7. Total fee (37 CFR 3.41) <u>\$40.00</u> <input checked="" type="checkbox"/> Authorized to be charged to Deposit Account 8. Deposit Account Number: 10-0750/END-721/DLG							
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. <table border="0"> <tr> <td><u>Dean L. Garner</u></td> <td></td> <td><u>April 9, 2001</u></td> </tr> <tr> <td>Name of Person Signing</td> <td>Signature</td> <td>Date</td> </tr> </table> Total number of pages including cover sheet, attachments, and document: 4				<u>Dean L. Garner</u>		<u>April 9, 2001</u>	Name of Person Signing	Signature	Date
<u>Dean L. Garner</u>		<u>April 9, 2001</u>							
Name of Person Signing	Signature	Date							

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

Box Assignments
 Commissioner of Patent and Trademarks
 Washington, D.C. 20231

PATENT
 REEL: 011739 FRAME: 0349

A S S I G N M E N T

Serial No.

Filed April 9, 2001

WHEREAS, John A. Hibner, citizen of the United States of America, residing at 3257 Range Ct., Mason Oh, 45040; James R. Giordano, citizen of the United States of America, residing at 5647 Chesnutview Lane, Milford, OH 45150; Scott D. Wampler citizen of the United States of America, residing at 9349 Dockside Way Westchester, OH 45069; (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to

BIOPSY INSTRUMENT WITH TISSUE MARKING ELEMENT

for which they have this day executed an application for Letters Patent of the United States; and

WHEREAS, Ethicon Endo-Surgery, Inc., a corporation formed under the laws of the State of Ohio, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

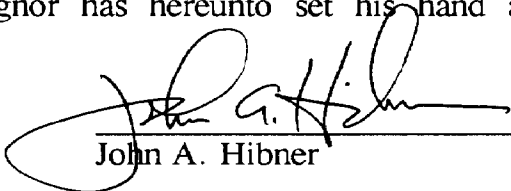
NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

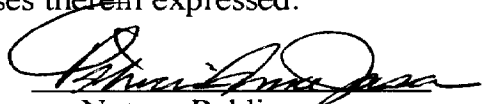
And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 10th day of April, 2001.


John A. Hibner (L.S.)

STATE OF Ohio)
) ss.
COUNTY OF Hamilton)

BE IT REMEMBERED, That on this 10th day of April, 2001, before me, a Notary Public, personally appeared John A. Hibner, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

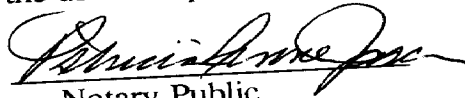

Notary Public
PATRICIA ANNE JARA
Notary Public, State of Ohio
My Commission Expires Sept. 22, 2003

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 10th day of April, 2001.


James R. Giordano (L.S.)

STATE OF Ohio)
) ss.
COUNTY OF Hamilton)

BE IT REMEMBERED, That on this 10th day of April, 2001, before me, a Notary Public, personally appeared James R. Giordano, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.


Notary Public
PATRICIA ANNE JARA
Notary Public, State of Ohio
My Commission Expires Sept. 22, 2003

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this

9th day of April, 2001.

Scott D. Wampler (L.S.)
Scott D. Wampler

STATE OF Ohio)
) ss.
COUNTY OF Hamilton)

BE IT REMEMBERED, That on this 9th day of April, 2001, before me, a Notary Public, personally appeared Scott D. Wampler, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Patricia Anne Jara
Notary Public

PATRICIA ANNE JARA
Notary Public, State of Ohio
My Commission Expires Sept. 22, 2006