

05-07-2001



101705747

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

**TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).**

**Submission Type** 4-26-01

- ☒ **New**  
☐ **Resubmission (Non-Recordation)**  
Document ID#   
☐ **Correction of PTO Error**  
Reel #  Frame #   
☐ **Corrective Document**  
Reel #  Frame #

**Conveyance Type**

- ☒ **Assignment** ☐ **Security Agreement**  
☐ **License** ☐ **Change of Name** APR 26 2001  
☐ **Merger** ☐ **Other**

**U.S. Government**  
For Use ONLY by U.S. Government Agencies  
☐ **Departmental File** ☐ **Secret File**

**Conveying Party(ies)**

☒ Mark if additional names of conveying parties attached

**Execution Date**  
Month Day Year

Name (line 1) **DAE, Michael W.**  
Name (line 2)

**04/16/2001**

**Second Party**

**Execution Date**  
Month Day Year

Name (line 1) **MACHOLD, Timothy R.**  
Name (line 2)

**04/11/2001**

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name (line 1) **Radiant Medical, Inc.**  
Name (line 2)   
Address (line 1) **250 Chesapeake Drive**  
Address (line 2)   
Address (line 3) **Redwood City** **CA** **94063**  
City State/Country Zip Code

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name   
Address (line 1)   
Address (line 2)

05/04/2001 DBYRNE 00000049 09784930

01 FC:581

40.00 0P

**FOR OFFICE USE ONLY**

40E

Express Mail Label Number: EL514039518US  
Date of Deposit: April 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.

Date: 24 Apr 01

By: Vladimir Skliba

**Correspondent Name and Address**

**Area Code and Telephone Number**

(650) 843-5000

**Name** Cooley Godward LLP

**Address (line 1)** Five Palo Alto Square

**Address (line 2)** 3000 El Camino Real

**Address (line 3)**

**Address (line 4)** Palo Alto, California 94306-2155

**Pages**

Enter total number of pages of the attached conveyance document including any attachments.

# 5

**Application Number(s) or Patent Number(s)**



Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**Patent Number(s)**

09784930

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40.00

**Method of Payment:**

**Deposit Account**

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Enclosed ☒

Deposit Account ☐

Deposit Account Number:

# 03-3117

Authorization to charge additional fees:

Yes ☐

No ☐

**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. Charges to deposit account are authorized, as indicated herein.

Shelley P. Eberle

**Name of Person Signing**

*Shelley P. Eberle*  
**Signature**

4-24-01

**Date**

RECORDATION FORM COVER SHEET  
CONTINUATION  
PATENTS ONLY

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

**Conveying Party(ies)**

Enter additional Conveying Parties

☒

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name (line 1) KELLER, Wade A.

04/05/2001

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

**Receiving Party(ies)**

Enter additional Receiving Party(ies)

☐

Mark if additional names of conveying parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Application Number(s) or Patent Number(s)**

☐

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)



ASSIGNMENT

Whereas,

Michael W. Dae residing at 1714 Notre Dame Avenue, Belmont, CA 94002;  
Timothy R. Machold residing at 65 Bernal Avenue, Moss Beach, CA 94038;  
Wade A. Keller residing at 6183 Dunn Avenue, San Jose, CA 95123;  
(hereinafter referred to individually and collectively as "Inventor") have made an invention relating to certain new and useful improvements in:

METHOD OF CONTROLLING BODY TEMPERATURE WHILE REDUCING  
SHIVERING

and executed therefor an Application for Letters Patent of the United States and

[        ] having an oath or declaration executed on even date herewith;  
[X] bearing Serial No. 09/784,930 and filed on February 15, 2001  
[        ] issued as a Patent No. \_\_\_\_ on

Whereas, Radiant Medical, Inc. (hereinafter "Assignee"), a corporation of California, and having a principal place of business at 250 Chesapeake Drive, Redwood City, California 94063, is desirous of acquiring the entire right, title, and interest in and to said invention, said Application, and the Letters Patent to be obtained therefor:

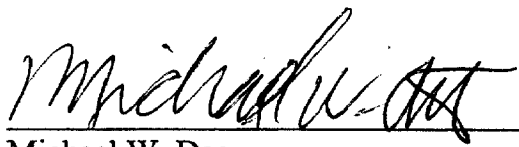
Now, therefore, for and in consideration of One Dollar and other good and valuable considerations, to Inventor in hand paid, the receipt and sufficiency whereof are hereby acknowledged, Inventor has sold, assigned, and set over and by these presents does hereby sell, assign, and set over unto Assignee and Assignee's legal representatives, successors and assigns, the entire right, title, and interest in and to said invention, said Application and any other application, domestic or foreign, that claims said invention, as well as any Letters Patent, domestic or foreign, that may or shall issue thereon; and Inventor does hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned Assignee agreeably with the terms of this Assignment.

The terms "Application" and "Application for Letters Patent" as used herein include both provisional and non-provisional applications.

Inventor hereby authorizes the above-mentioned Assignee or its legal representative to insert in this instrument the filing date and serial number of said Application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

**Upon said consideration, Inventor** conveys to Assignee the right to make application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the United States application (or other application if any there be) in priority to other applications; and **Inventor does hereby covenant** and agree with Assignee that Inventor will not execute any writing or do any act whatsoever conflicting with these presents, and that Inventor will at any time upon request, without further or additional consideration, but at the expense of Assignee, execute such additional assignments and other writings and do such additional acts as Assignee may deem necessary or desirable to perfect Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, continuation-in-part, renewal, reexamined, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind and inure to the benefit of the assigns and legal representatives of both parties.

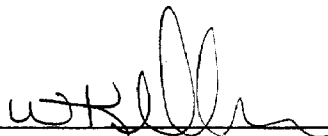
Date: 4/16/01

By:   
Michael W. Dae

Date: 4/11/01

By:   
Timothy R. Machold

Date: 4-5-01

By:   
Wade A. Keller

ALL-PURPOSE NOTARIAL ACKNOWLEDGMENT

State of California

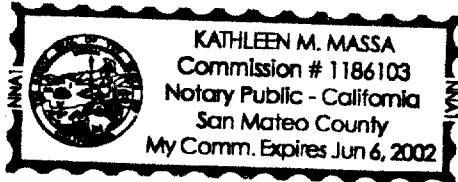
County of San Mateo

On April 5, 2001 before me, Kathleen M. Massa, Notary Public  
(Date) (Name, Title of Officer)

personally appeared Wade A. Keller

☒ personally known to me  
- OR -

☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her 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.

Kathleen M. Massa

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER

\_\_\_\_\_  
(TITLE)

- ☐ PARTNERSHIP  
    ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

SIGNER IS REPRESENTING:  
  
\_\_\_\_\_

DESCRIPTION OF ATTACHED DOCUMENT

Assignment  
TITLE OR TYPE OF DOCUMENT  
Invention/Patent Assignment

\_\_\_\_\_  
NUMBER OF PAGES DATE OF DOCUMENT

\_\_\_\_\_  
SIGNER (OTHER THAN NAMED ABOVE)

PATENT

REEL: 011756 FRAME: 0023

ALL-PURPOSE NOTARIAL ACKNOWLEDGMENT

State of California

County of San Mateo

On April 11, 2001 before me, Kathleen M. Massa, Notary Public,  
(Date) (Name, Title of Officer)

personally appeared Timothy R. Machold

☒ personally known to me  
- OR -

☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her 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.

Kathleen M. Massa

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER

\_\_\_\_\_  
(TITLE)

- ☐ PARTNERSHIP  
    ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

SIGNER IS REPRESENTING:

\_\_\_\_\_

DESCRIPTION OF ATTACHED DOCUMENT

Assignment  
TITLE OR TYPE OF DOCUMENT  
Invention/Patent Assignment

\_\_\_\_\_  
NUMBER OF PAGES DATE OF DOCUMENT

\_\_\_\_\_  
SIGNER (OTHER THAN NAMED ABOVE)

PATENT

REEL: 011756 FRAME: 0024

ALL-PURPOSE NOTARIAL ACKNOWLEDGMENT

State of California

County of San Mateo

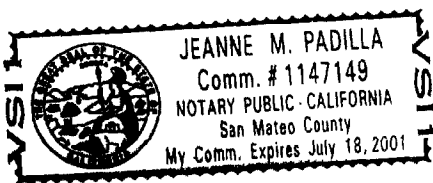
On 4/16/01 before me, Jeanne M. Padilla, Notary Public  
(Date) (Name, Title of Officer)

personally appeared Michael W. Dae

☐ personally known to me

- OR -

☒ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her 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.

*Jeanne M. Padilla*

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER

\_\_\_\_\_  
(TITLE)

- ☐ PARTNERSHIP  
    ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

SIGNER IS REPRESENTING:  
\_\_\_\_\_

DESCRIPTION OF ATTACHED DOCUMENT

Assignment

TITLE OR TYPE OF DOCUMENT

Invention/Patent Assignment

\_\_\_\_\_  
NUMBER OF PAGES DATE OF DOCUMENT

\_\_\_\_\_  
SIGNER (OTHER THAN NAMED ABOVE)

PATENT