

09-19-2001

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**REEL: 012161 FRAME: 0703**

## Correspondent Name and Address

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Name Robert H. Epstein

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indicated herein.

Robert H. Epstein

Name of Person Signing

Signature

Date

9/12/01

## ASSIGNMENT

WHEREAS, we, Gary Peters and Kenneth M. Adams, residing at 4624 Ilah Road, North, Jacksonville, Florida 32257 and 10336 Cypress Lakes Drive, Jacksonville, Florida 32256, respectively, have invented certain new and useful improvements in Flexible Inner Tubular Members and Rotary Tissue Cutting Instruments Having Flexible Inner Tubular Members, for which an application for United States Letters Patent is filed concurrently herewith attorney docket number 2401.0193C.

WHEREAS, Medtronic Xomed, Inc., a corporation of Delaware, having a place of business at 6347 Southpoint Drive, North, Jacksonville, Florida 32216, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) in hand paid, the receipt whereof is hereby acknowledged, and other valuable considerations, we have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Medtronic Xomed, Inc. the full and exclusive right to said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted thereon in the United States and its territorial possessions and in any and all foreign countries, and in and to any and all divisions, reissues, continuations and extensions thereof.

We hereby authorize and request the Patent and Trademark Office officials in the United States and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said Medtronic Xomed, Inc., as the assignee of the entire interest in and to the same, for the sole use and behalf of Medtronic Xomed, Inc., its successors and assigns.

FURTHER, we agree that we will communicate to Medtronic Xomed, Inc., or its representatives, any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to Medtronic Xomed, Inc., make all rightful oaths and generally do everything possible to aid Medtronic Xomed, Inc., its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

IN TESTIMONY WHEREOF, we have hereunto set our hand.

8/28/01  
Date

Gary Peters  
Gary Peters

8/28/01  
Date

Kenneth M. Adams  
Kenneth M. Adams

On this 28<sup>th</sup> day of August, 2001, personally appeared before me the above named (Individuals) to me known and known to me to be the people described in, and who executed, the foregoing instrument and acknowledged the same to be their free act and deed in and for the purposes set forth in said instrument.



SANDY DEMPSEY  
Notary Public, State of Florida  
My comm. expires April 10, 2005  
Comm. No. DD 017041

Sandy Dempsey  
NOTARY PUBLIC  
My Commission Expires:

Accepted on behalf of Medtronic Xomed, Inc. by:

Name: Jaime A. Frias

Signature

Title: Vice President

Date:

8/31/01