

PE

10-22-2001

OCT 15 2001



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Attorney Docket Number 9339-036

PATENT & TRADEMARKS OFFICE

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Box Assignment
Washington, DC 20231

10-15-01

Please record the attached original documents or copy thereof.

O I P E
OCT 15 2001
PATENT & TRADEMARKS OFFICE

1. Name of conveying party(ies):
Winston E. BARZELL
Willet F. WHITMORE III
Stephen E. BRAUNER
Roger F. WILSON
Salvatore A. UCCELLO

Additional name(s) of conveying party(ies) attached?
 Yes No

2. Name and address of receiving party(ies):
Name: Barzell-Whitmore Maroon Bells, Inc.
Address: 1121 Lewis Avenue
Sarasota, Florida 34237

Country (if other than USA):

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: Oct. 4, 2001; Oct. 2, 2001; Oct. 2, 2001;
Oct. 2, 2001 and Oct 2, 2001, respectively.

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: _____
A. Patent Application No.(s) 09/893,984 | B. Patent No.(s) _____
Additional numbers attached? Yes No

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

PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, D.C. 20006

6. Number of applications and patents involved: 1
7. Total fee (37 CFR 3.41):.....\$ 40.00
Please charge to the deposit account listed in Section 8.
8. Deposit account number:
16-1150

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.

Vaishali Udupa Reg. No. 48,004 [Signature] for Stephen J. Harbulak Oct 15, 2001
For Stephen J. Harbulak Reg. No. 29,166 Signature Date

Total number of pages including cover sheet: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignment
Washington, D.C. 20231

PATENT REEL: 012257 FRAME: 0644

DC1 - 304888.1

ASSIGNMENT

WHEREAS, WE, **Winston E. BARZELL; Willet F. WHITMORE III; Stephen E. BRAUNER; Roger F. WILSON; and Salvatore A. UCCELLO**, ASSIGNORS, citizens of the USA, residing at 7360 Point of Rocks Road, Sarasota, FL 34242; 1121 Lewis Avenue, Sarasota, FL 34237; 216 69th Street Northwest, Bradenton, FL 34209; 1923 Wood Hollow Lane, Sarasota, FL 34235; 6527 Waterford Circle, Sarasota, FL 34237, are the inventors of the invention in **MEDICAL INSTRUMENT POSITIONER** for which we have executed an application for a Patent of the United States

- which was filed in the United States on June 29, 2001 as Application No. 09/893,984
- which is identified by Pennie & Edmonds LLP docket no. 9339-036

and WHEREAS, **Barzell-Whitmore Maroon Bells, Inc.**, ASSIGNEE, a Florida corporation having a place of business at 1121 Lewis Avenue, Sarasota, FL 34237, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

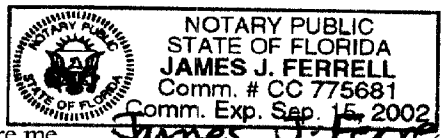
AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date October 4th, 2001 *Winston E. Barzell* L.S.
Winston E. BARZELL

State of Florida)
County of Sarasota) SS.:

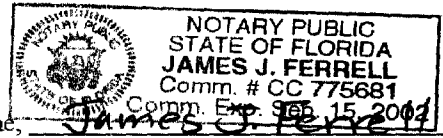


On October 4, 2001, before me, *James J. Ferrell*, Notary Public, personally appeared **Winston E. BARZELL**, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal
James J. Ferrell

Date Dec 2, 2001, before me, Willet F. Whitmore Jr L.S.
Willet F. WHITMORE III

State of _____)
County of _____) SS.:



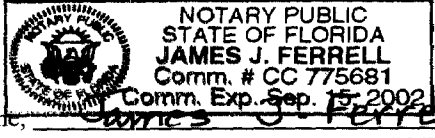
On Dec 2, 2001, before me, James J. Ferrell, Notary Public, personally appeared Willet F. WHITMORE III, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

James J. Ferrell

Date October 2, 2001, before me, Stephen E. Brauner L.S.
Stephen E. BRAUNER

State of Florida)
County of Sarasota) SS.:



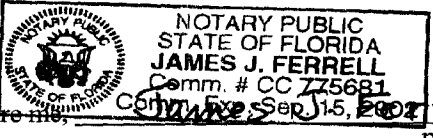
On October 2, 2001, before me, James J. Ferrell, Notary Public, personally appeared Stephen E. BRAUNER, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

James J. Ferrell

Date 10/2/01, 2001, before me, Roger F. Wilson L.S.
Roger F. WILSON

State of Florida)
County of Sarasota) SS.:

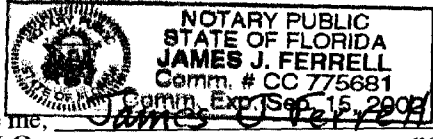


On October 2, 2001, before me, James J. Ferrell, Notary Public, personally appeared Roger F. WILSON, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Date October 2, 2001, before me, Salvatore A. Uccello L.S.
Salvatore A. UCCELLO

State of Florida)
County of Sarasota) SS.:



On October 2, 2001, before me, James J. Ferrell, Notary Public, personally appeared Salvatore A. UCCELLO, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

James J. Ferrell