

08-14-2002

Form PTO-1595  
(Rev. 03/01)



U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 5/31/2002)

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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):

Dom L. Gatto

08/06/02

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

2. Name and address of receiving party(ies)

Name: Acueity, Inc.

Internal Address: Suite 125

Street Address: 700 Larkspur Landing Circle

City: Larkspur State: CA Zip: 94939

Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other

Execution Date: 07/31/2002

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: 7/31/02

A. Patent Application No.(s)

B. Patent No.(s)

10/212280

Additional numbers attached?  Yes  No

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

Name: John S. Hale

Internal Address: Gipple & Hale

Street Address: 6665-A Old Dominion Drive

City: McLean State: VA Zip: 22101

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).. \$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

07-1340 \*\*Only for deficiencies\*\*

DO NOT USE THIS SPACE

9. Signature.

John S. Hale

Name of Person Signing

Signature

08/06/02

Date

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

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

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08/06/02

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## ASSIGNMENT

WHEREAS, DOM L. GATTO (hereinafter referred to as "Assignor") deposes and says that I am a citizen of the United States of America and an individual residing at 36 Flat Rock Road, Branford, Conn. 06405 and have invented certain new and useful improvements in a method and apparatus for in vivo treatment of mammary ducts by light induced fluorescence for which I have filed an application for United States Letters Patent executed even date herewith; entitled METHOD AND APPARATUS FOR IN VIVO TREATMENT OF MAMMARY DUCTS BY LIGHT INDUCED FLUORESCENCE; and

WHEREAS, ACUEITY, INC. (hereinafter referred to as "Assignee") a corporation organized under the laws of the State of California, having a principal place of business at 700 Larkspur Landing Circle, Suite 125, Larkspur, California 94939 is desirous of acquiring my entire right, title, and interest both domestic and foreign in and to the said invention, and in and to the said application and said Letters Patent that issued thereon;

NOW, THEREFORE, for and in consideration of five dollars (\$5.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Assignor has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto to the said Assignee, its successors, legal representatives and assigns, his entire right, title, and interest in and to the said invention, and in and to the said application and all patents which may be granted therefor, and all divisions, renewals, reissues, substitutions, continuations, and extensions thereof.

Assignor also hereby sells and assigns to Assignee's successors, legal representative and assigns, **his foreign rights to the invention** disclosed in said application and said patent 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, in all patent granting countries of the world, including the right to file applications and obtain patents for said invention in Assignee's own name in said countries and including all rights of priority in said countries under the Patent Laws of the United States, the terms

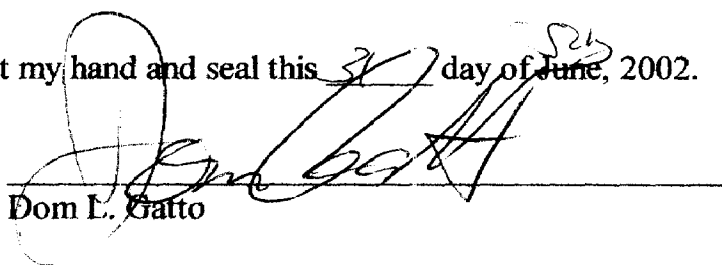
of the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and any and all extensions, renewals and reissues thereof and Assignor further agrees to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights.

Assignor hereby authorizes and requests 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 application as aforesaid, to issue the same to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

Assignor covenants and agrees that he has full right to convey the entire interest herein assigned, and that he has not executed and will not execute, any agreement in conflict herewith.

Assignor hereby further agrees that he will communicate to said Assignee or to its successors, assigns, and legal representatives, any facts known to him respecting said invention, any improvements, and at the expense of said Assignee, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, reissue, substitute applications and foreign applications, make all lawful oaths, and generally do everything possible to aid said Assignee, its successors, legal representatives, assigns, and nominees to obtain and enforce proper patent protection for said invention in all countries.

IN WITNESS WHEREOF, I have set my hand and seal this 31 day of June, 2002.

  
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Dom L. Gatto