

Form PTO-1595

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JET

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of Conveying party(ies):

WILSON, Peter; FIELDS, Antony;  
GIFFORD III, Hanson S.; McCUTCHEON, John  
G.; HENDRICKSEN, Michael J.; RAPACKI,  
Alan R.; THOLFSEN, David R.; BARRETT,  
Michael S.; HUNDERTMARK, Ronald; SUTTON,  
Douglas

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

## 2. Name and address of receiving Party(ies)

EMPHASYS MEDICAL, INC.  
2686 Middlefield Road, Suite A  
Redwood City, California 94063

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

OFFICE OF THE  
COMMISSIONER OF  
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TRADEMARKS  
702 201 28 PM 1:12  
FINANCE SECTION

## 3. Nature of conveyance:

X Assignment \_\_\_ Merger  
\_\_\_ Security Agreement \_\_\_ Change of name  
\_\_\_ Other \_\_\_\_\_

Execution Date: Wilson, 11/5/2002; Sutton, Hundertmark, Barrett, Tholfesen, Rapacki, Hendricksen, McCutcheon, Gifford and Fields, 11/15/2002

## 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:

A. Patent Application No.(s):  
10/270,792

B. Patent No.(s)

Additional numbers attached? \_\_\_ Yes X No

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

Fred C. Hernandez  
HELLER EHRMAN WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive  
7th Floor  
San Diego, CA 92122-1246

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00  
X Check enclosed  
X Authorized to charge any  
underpayment to deposit account

8. Deposit account Number: 50-1213

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.

Fred C. Hernandez  
Name of Person Signing  
Registration No. 41,832

[Signature]  
Signature

11/25/2002  
Date

Total number of pages including cover sheet, attachments, and document: 21

**A S S I G N M E N T**

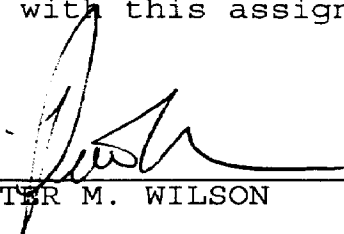
I, **PETER M. WILSON**, a citizen of the United States of America, residing at 55 Ruggles Road, Guilford, Connecticut 06437, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

**BRONCHIAL FLOW CONTROL DEVICES AND METHODS OF USE**

which was filed on October 10, 2002, (applicant's attorney is authorized to enter application number after execution of this document) and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

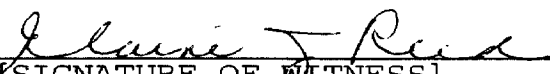
I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: 11/5/02

  
\_\_\_\_\_  
PETER M. WILSON

WITNESSED:

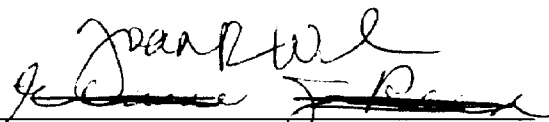
DATE: 11/5/02

  
\_\_\_\_\_  
[SIGNATURE OF WITNESS]

Elaine J. Reed  
\_\_\_\_\_  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11/5/02

  
\_\_\_\_\_  
[SIGNATURE OF WITNESS]

Joan R. Wilson  
\_\_\_\_\_  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **ANTONY J. FIELDS**, a citizen of the United States of America, residing at 87 Vicksburg Street, San Francisco, California 94114, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:


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111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: 11/15/02

  
ANTHONY J. FIELDS

WITNESSED:

DATE: 11/15/02

  
[SIGNATURE OF WITNESS]

John G. McCutcheon  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

  
[SIGNATURE OF WITNESS]

Lauren Gustina  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **RONALD HUNDERTMARK**, a citizen of the United States of America, residing at 422 Alder Lane, San Mateo, California 94403, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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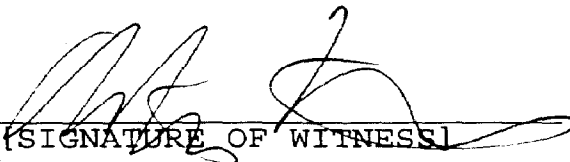
I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: 11/15/02

  
RONALD HUNDERTMARK

WITNESSED:

DATE: 11/15/02

  
[SIGNATURE OF WITNESS]

Anthony Fields  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

  
[SIGNATURE OF WITNESS]

Lauren Cristina  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **MICHAEL S. BARRETT**, a citizen of the United States of America, residing at 677 Kenneth Avenue, Campbell, California 95008, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: 11/15/02

Michael S. Barrett  
MICHAEL S. BARRETT

WITNESSED:

DATE: 11/15/02

[Signature]  
[SIGNATURE OF WITNESS]

Antony Fields  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

[Signature]  
[SIGNATURE OF WITNESS]

Lauren Cristina  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **DAVID R. THOLFSEN**, a citizen of the United States of America, residing at 263 Crescent Avenue, San Francisco, California 94110, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: 11/15/02

David R. Tholfson  
DAVID R. THOLFSEN

WITNESSED:

DATE: 11/15/02

[Signature]  
[SIGNATURE OF WITNESS]

Anthony Fields  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

[Signature]  
[SIGNATURE OF WITNESS]

Lauren Cristina  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **ALAN R. RAPACKI**, a citizen of the United States of America, residing at 2725 Hastings Avenue, Redwood City, California 94061, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: 11.15.02

Alan R. Rapacki  
ALAN R. RAPACKI

WITNESSED:

DATE: 11/15/02

[Signature]  
[SIGNATURE OF WITNESS]

Anthony Fields  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

W. Ernst  
[SIGNATURE OF WITNESS]

Lauren Gostria  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **MICHAEL J. HENDRICKSEN**, a citizen of the United States of America, residing at 1733 Virginia Avenue, Redwood City, California 94061, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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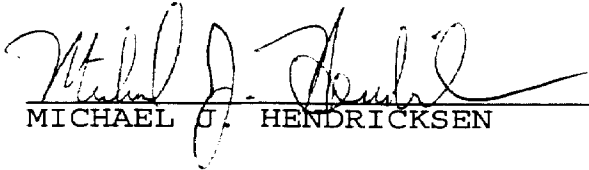
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I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: 11/15/02

  
MICHAEL J. HENDRICKSEN

WITNESSED:

DATE: 11/15/02

  
[SIGNATURE OF WITNESS]

Anthony Fields  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

  
[SIGNATURE OF WITNESS]

Lauren Cristina  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **JOHN G. MCCUTCHEON**, a citizen of the United States of America, residing at 1790 Oak Avenue, Menlo Park, California 94025, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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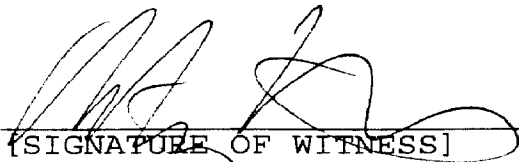
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Date: 11/15/02

  
\_\_\_\_\_  
JOHN G. MCCUTCHEON

WITNESSED:


DATE: 11/15/02

  
\_\_\_\_\_  
[SIGNATURE OF WITNESS]

Antony Fields  
\_\_\_\_\_  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

  
\_\_\_\_\_  
[SIGNATURE OF WITNESS]

Lauren Cristina  
\_\_\_\_\_  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

I, **HANSON S. GIFFORD, III**, a citizen of the United States of America, residing at 3180 Woodside Road, Woodside, California 94062, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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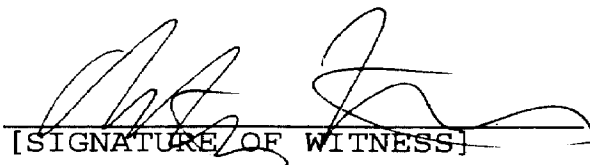
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Date: 11/15/02

  
HANSON S. GIFFORD, III

WITNESSED:

DATE: 11/15/02

  
[SIGNATURE OF WITNESS]

Anthony Riehl  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

  
[SIGNATURE OF WITNESS]

Lauren Cristina  
[PRINTED NAME OF WITNESS]

**A S S I G N M E N T**

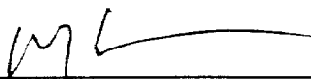
I, **DOUGLAS SUTTON**, a citizen of the United States of America, residing at 1595 Adobe Drive, Pacifica, California 95044, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 2686 Middlefield Road, Suite A, Redwood City, California 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/270,792 entitled:

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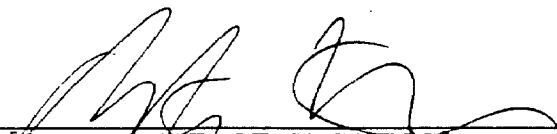
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Date: 11.15.02

  
\_\_\_\_\_  
~~DONALD SUTTON~~  
Douglas  
11.15.02

WITNESSED:

DATE: 11/15/02

  
\_\_\_\_\_  
[SIGNATURE OF WITNESS]

Antony Rieles  
\_\_\_\_\_  
[PRINTED NAME OF WITNESS]

WITNESSED:

DATE: 11-15-02

  
\_\_\_\_\_  
[SIGNATURE OF WITNESS]

Lauren Cristina  
\_\_\_\_\_  
[PRINTED NAME OF WITNESS]