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

1. Name of conveying party(ies)

1. Gregory James Olsen
2. Martin Leckie
3. Neil Prime
4. Lewis George Gradon
5. Nicholas Charles Alan Smith
6. Alastair Edwin McAuley
7. Mark Joseph Haycock
8. Chris Earl Nightingale
9. Geoffrey Mark Shaw

2-11-03

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Securing Agreement ☐ Change of Name
- ☐ Other _____

Execution Date: 1. December 20, 2002; 2. December 20, 2002; 3. December 20, 2002; 4. December 20, 2002; 5. January 7, 2003; 6. December 13, 2002; 7. January 6, 2003; 8. December 16, 2002; 9. January 13, 2003

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)

B. Patent No.(s)

10/278,317 October 23, 2002

Additional numbers attached? ☐ Yes ☒ No

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

Name: RAIFORD A. BLACKSTONE, JR., ESQ.

Internal Address: TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 West Adams Street
Chicago, IL 60603-6299

Street Address: SAME AS ABOVE

City: _____ State: _____ Zip: _____

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 if check is missing or insufficient.

8. Deposit account number:

20-1495

(Attach duplicate copy of this page if paying by deposit account)

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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.

Linda L. Palomar

Signing

Signature

February 5, 2003

Date

ASSIGNMENT

WHEREAS, we **GREGORY JAMES OLSEN** of 28 Fernleigh Avenue, Epsom, Auckland, New Zealand; **MARTIN LECKIE** of 18B Leven Lane, Manukau City, Auckland, New Zealand; **NEIL PRIME** of 5 Brittany Drive, Auckland, New Zealand; **LEWIS GEORGE GRADON** of 22 Brailsford Court, Howick, Auckland, New Zealand; **NICHOLAS CHARLES ALAN SMITH** of 157 Great South Road, Auckland, New Zealand; **ALASTAIRE EDWIN McAULEY** of 5/27 Lucerne Road, Remuera, Auckland, New Zealand, **MARK JOSEPH HAYCOCK** of 77 Cranbrook Place, Glendowie, Auckland, New Zealand; **CHRIS EARL NIGHTINGALE** of P.O. Box 25048, St. Heliers, Auckland, New Zealand, and **GEOFFREY MARK SHAW** of 61 Idris Road, Christchurch, New Zealand respectively, have invented certain new and useful improvements in **BREATHING ASSISTANCE APPARATUS** for which we have executed an application for Letters Patent of the United States on the 13th day of December 2002; and

WHEREAS, **FISHER & PAYKEL HEALTHCARE LIMITED**, a corporation organized and existing under the laws of **New Zealand** having its principal place of business at **15 Maurice Paykel Place, East Tamaki, Auckland, New Zealand** (hereinafter referred to as "**ASSIGNEE**"), is desirous of acquiring the entire right, title and interest in and to said invention, said application, and in, to and under all Letters Patent of the United States and foreign countries that may be granted therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us and each of us in hand paid by said ASSIGNEE, the receipt of which is hereby acknowledged, we, said **Gregory James Olsen, Martin Leckie, Neil Prime, Lewis George Gradon, Nicholas Charles Alan Smith, Alastair Edwin McAuley, Mark Joseph Haycock, Chris Earl Nightingale and Geoffrey Mark Shaw** have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over to and unto said ASSIGNEE, its successors and assigns, for, within and throughout the United States and the territories thereof, and all foreign countries, the entire right, title and interest in and to said invention, and in, to and under said application, and all Letters Patent of the United States and foreign countries (including all priority rights that we may have or acquire under any International Convention or treaty) that may be granted for said invention and improvements, including divisions, reissues, subdivisions, continuations and prolongations of such applications and Letters Patent, to have and to hold for the sole and exclusive use and benefit of said ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patents for said invention may issue.

We do hereby covenant and agree, for ourselves, our heirs and our legal representatives, that we will assist said ASSIGNEE in the prosecution of the application herein identified; in the making and prosecution of any other applications for Letters Patent that said ASSIGNEE may elect to make covering the invention herein identified, as hereinbefore set forth; in vesting in said ASSIGNEE like exclusive title in and to all such other applications and Letters Patent; and in the prosecution of any interference which may arise involving said invention, or any application or Letters Patent herein contemplated; and that we will execute and deliver to said ASSIGNEE any and all additional papers that may be requested by said ASSIGNEE to fully carry out the terms of this assignment.

We do hereby authorize and request our attorneys, Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd., of 105 West Adams Street, Chicago, Illinois 60603, to insert here in parentheses (Serial No. 10/298,317 filed October 23, 2002) the date and serial number of said application when officially known.

And we do hereby authorize and request the Commissioner of Patents to issue all Letters Patent of the United States that may be granted pursuant to the application aforesaid, or for said invention, to said ASSIGNEE, its successors and assigns, in accordance with this assignment.

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

Date: 20/12/02


GREGORY JAMES OLSEN

Date: 20/12/02


MARTIN LECKIE

Date: 20/12/02


NEIL PRIME

Date: 20/12


LEWIS GEORGE GRADON

Date: 7/01/03

Date: 13/12/02

Date: 6/01/03


Date: 16/12/02

Date: 13/01/03


NICHOLAS CHARLES ALAN SMITH


ALASTAIR EDWIN MCAULEY


MARK JOSEPH HAYCOCK


CHRIS EARL NIGHTINGALE


GEOFFREY MARK SHAW