

06-30-2003



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

Attorney's Docket No. 032781-011

To the Director of the United States Patent and Trademark Office

Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Don WILSON, Jr. and Bryan D. KNODEL

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Nunc Pro Tunc Assignment

Execution Date: October 10, 2001

2. Name and address of receiving party(ies):

Name: Weck Closure Systems, Inc.

Internal Address:

Street Address:
One Weck Drive

City: Research Triangle Park State: NC Zip: 27709

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

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)
09/905,679 filed July 13, 2001

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Michael G. Savage

Internal Address:

Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404

Street Address:

City: Alexandria State: VA Zip: 22313-1404

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:

02-4800

(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.

Michael J. Crowley, Reg. No. 49,009

Name of Person Signing

Signature

June 24, 2003

Date

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

5

Mail documents to be recorded with required cover sheet information to:

Director of the United States Patent and Trademark Office / Mail Stop Assignment Recordation Services
P.O. Box 1450 / Alexandria, VA 22313-1450

06/27/2003 LMUELLER 00000159 024800 09905679

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: June 24, 2003

J. Harris
Typed Name

PATENT

REEL: 014209 FRAME: 0612

NUNC PRO TUNC ASSIGNMENT

WHEREAS we, Don WILSON, Jr., and Bryan D. KNODEL, invented a new and useful Endoscopic Clip Applier and Method for which we executed an Assignment on October 10, 2001, that was recorded in the United States Patent Office on January 14, 2002, at Reel 012507, Frame 0510, and a copy of which is attached hereto;

WHEREAS by our October 10, 2001, Assignment we sold, assigned, transferred, and set over to Weck Closure Systems, Inc., a corporation having its principal place of business at One Weck Drive, Research Triangle Park, North Carolina, and its successors and assigns the exclusive right, title and interest in and to said invention, and in and to the Letters Patent to be granted and issued therefor; and

WHEREAS we desire to confirm our assignment to Weck Closure Systems, Inc.;

NOW, THEREFORE, for a valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we, Don WILSON, Jr., and Bryan D. KNODEL, do hereby confirm that we did and do sell, assign, transfer, and set over, nunc pro tunc as of October 10, 2001, unto Weck Closure Systems, Inc., a corporation having a place of business at One Weck Drive, Research Triangle Park, North Carolina, and its successors and assigns, the full and exclusive right, title, and interest in and to said invention, and in and to any and all Letters Patent granted and issued therefor, not only for, to, and in the United States of America, but for, to, and in all other countries.

FURTHER it has been called to our attention that, in an inadvertent error, our October 10, 2001, Assignment further identified Weck Closure Systems, Inc., as a corporation organized and existing under and by virtue of the laws of the State of

North Carolina and that as of October 10, 2001, Weck Closure Systems, Inc., was a corporation organized and existing under and by virtue of the laws of the State of Delaware. Accordingly, we request the Commissioner of Patents to direct the Assignment Branch to correct the Assignment document recorded at Reel 012507, Frame 0510, in accordance with this Nunc Pro Tunc Assignment and the attached copy in which we have lined out the incorrect state of incorporation, inserted the correct state of incorporation, and initialled and dated these changes.

WITNESS our hands at Research Triangle Park, North Carolina, this

5TH day of MAY, 2003.

Don WILSON, Jr.

Bryan D. KNODEL

STATE OF NORTH CAROLINA :

: ss.

COUNTY OF WAKE DURHAM :

On this 5TH day of MAY, 2003, before me personally appeared Don WILSON, Jr., and Bryan D. KNODEL, to me known to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

Carol A. Owen

Notary Public

(seal)

MY COMMISSION EXPIRES 7/15/2003


ASSIGNMENT

(JOINT)

THIS ASSIGNMENT, by DON WILSON, JR. and BRYAN D. KNODEL, residing at Raleigh, NORTH CAROLINA, USA and Flagstaff, ARIZONA, USA (hereinafter referred to as "the Assignors"), respectively, witnesseth:

WHEREAS, the Assignors have invented certain new and useful improvements in Endoscopic Clip Applier and Method set forth in an application for Letters Patent of the United States,

- (1) ☐ which is a provisional application
- (a) ☐ to be filed herewith; or
- (b) ☐ bearing Application No. , and filed on ; or
- (2) ☒ which is a non-provisional application
- (a) ☐ having an oath or declaration executed on even date herewith prior to filing of application;
- (b) ☒ bearing Application No. 09/905,679, and filed on JULY 13, 2001; or
- (c) ☐ to be filed; and

 WHEREAS, WECK CLOSURE SYSTEMS, INC., a corporation duly organized under and pursuant to the laws of ~~THE UNITED STATES OF AMERICA~~ STATE OF DELAWARE and having its principal place of business at ONE WECK DRIVE, RESEARCH TRIANGLE PARK, NORTH CAROLINA, USA (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignors had this sale and assignment not been made;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;


AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby authorize and request the attorneys of Burns, Doane, Swecker & Mathis, L.L.P. of Alexandria, Virginia, to insert in the spaces provided above the filing date, application number, and attorney docket number of said application when known.

AND the Assignors hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date 10-10-01 Signature of Assignor 

Don WILSON, Jr.

Date 10-10-01 Signature of Assignor 

Bryan D. KNOEL

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____