

Form PTO-1595 (Rev. 10/02) OMB No. 0651-0027 (exp. 5/30/2005)	RECORDATION FORM COVER SHEET PATENTS ONLY	U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office Atty Docket No.: GUID-024CON8
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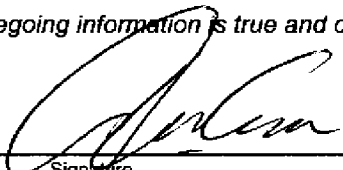
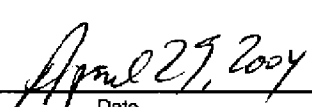
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Mark S. Ortiz Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies) Name: <u>IDX Medical, LTD.</u> Internal Address: Street Address: <u>101 SouthBend Ct.</u> City: <u>Loveland</u> , State: <u>OH</u> Zip: <u>45140</u> NOTE: Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>08/31/1999</u>	

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) <u>10/395,797 filed on March 24, 2003</u>	B. Patent Registration No.(s)
Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Law Office of Alan W. Cannon</u> Internal Address: <u>834 South Wolfe Road,</u> City: <u>Sunnyvale</u> State: <u>California</u> Zip: <u>94086</u>	6. Total number of applications and patents involved <u>1</u> 7. Total fee (37 CFR 3.41)..... \$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>50-2653</u> (Attach duplicate copy of this page if paying by deposit account)
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9. Statement and signature. <i>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.</i>	
<u>Alan W. Cannon, Reg. No. 34,977</u> Name of Person Signing	 Signature  Date
Total number of pages including cover sheet, attachments, and document: <u>4</u>	

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patent & Trademarks,
 Box Assignment P.O. Box 1450
 Alexandria, VA. 22313-1450

CH \$40.00 502653 10395797

ASSIGNMENT

This Assignment is being executed this 31st day of August, 1999 by Mark Ortiz ("Assignor") for the benefit of IDx Medical, Ltd., an Ohio limited liability company ("IDx"), pursuant to that certain Consulting Agreement by and between Assignor and IDx.

Recitals

IDx and Assignor have entered into a Consulting Agreement pursuant to which Assignor has been engaged to provide certain consulting services to IDx in connection with the design and development of certain intellectual property.

Pursuant to the terms of the Consulting Agreement, Assignor agreed that all works which may be subject to copyright and all patentable and unpatentable inventions, discoveries and ideas which are made, conceived or written by Assignor during the term of the Consulting Agreement and for 90 days after its expiration, which are based on the services performed by Assignor for IDx in the area of kinetic retractors or similar devices or technology permitting manipulation or presentation of the heart for surgical access during coronary bypass or other heart surgery ("Developments"), are and shall become the sole and exclusive property of IDx.

Assignor further agreed in the Consulting Agreement to execute all papers which may be necessary or advisable to prosecute applications for patents and to vest in IDx, or its designee, all the right, title and interest in and to the Developments.

In connection with the prosecution of patent applications number 08/936,184, 09/087,511 and 09/109,924 related to and/or arising out of the Developments, IDx is requesting and Assignor is desirous of executing this Assignment.

Now therefore, in consideration of the foregoing and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby assign, transfer and convey to IDx all of Assignor's right, title and interest in and to the Developments and all Letters Patent of the United States to be obtained therefor in respect of the patent applications related thereto and in all foreign countries to be obtained for the Developments or any portion thereof, and any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in any foreign country for the full term or terms for which the same may be granted.

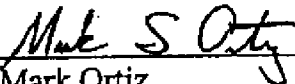
Assignor further covenants that, upon the request of IDx or its designee, Assignor will testify in any proceeding affecting the prosecution of the patent and will promptly execute and deliver to IDx or its designee any and all further papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said

patent applications and Letters Patent and any equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes hereof.

This Assignment shall in no way mitigate, reduce or amend the rights and obligations of each of Assignor and IDx pursuant to the Consulting Agreement.

IN WITNESS WHEREOF, Assignor has executed this Assignment as of the day and year first above written.

Assignor


Name: Mark Ortiz

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