

RECORD

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To the Director of the U.S. Patent and Trademark Office

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)

(1) Robert J. Thomas
(2) Robert W. Daly

2. Name and address of receiving party(ies)

Name: Beth Israel Deaconess Medical Center, Inc.

Internal Address: _____

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

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: (1) 11/11/03; (2) 11/06/03

Street Address: 330 Brookline Avenue

City: Boston State: MA ZIP: 02215

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

031283 U.S. PTO
10/7/16360

111803

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: (1) 11/11/03; (2) 11/06/03

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Mary Lou Wakimura, Esq.

Internal Address: Hamilton, Brook, Smith & Reynolds, P.C.

Street Address: 530 Virginia Road, P.O. Box 9133

City: Concord State: MA ZIP: 01742-9133

6. Total number of applications and patents involved: ☐ 1 ☒ 2

7. Total Fee (37 C.F.R. 3.41)..... \$ 40.00

☒ Enclosed with application fee

☒ Authorized to charge any deficiencies or credit any overpayment to deposit account

☐ Authorization to charge deposit account number 08-0380

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8. 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.

Mary Lou Wakimura

Name of Person Signing

Mary Lou Wakimura
Signature

11/18/03

Date

Total number of pages including cover sheet, attachments, and document: ☐ 3 ☒ 4

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PATENT
REEL: 014728 FRAME: 0729

JointASSIGNMENT

WHEREAS, we, **Robert J. Thomas and Robert W. Daly**, have invented a certain improvement in **GAS SYSTEMS AND METHODS FOR ENABLING RESPIRATORY STABILITY** described in an application for Letters Patent of the United States,

- ☒ the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☐ the specification of which was filed on [] as United States Application No. [];
- ☐ the specification of which is the United States National Stage of International Application No. [PCT Appl'n No.], filed on [PCT Filing Date];
- ☐ which was patented under United States Patent No. [] on [].

WHEREAS, **Beth Israel Deaconess Medical Center, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **Commonwealth of Massachusetts**, and having a usual place of business at **330 Brookline Avenue, Boston, Massachusetts 02215** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving

of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____

R. Thomas

Robert J. Thomas

State/Commonwealth

of Massachusetts

County of Suffolk

Then personally appeared before me the above-named **Robert J. Thomas** and acknowledged that he executed the foregoing instrument as his free act and deed this 11th day of November, 20 03.

(SEAL)

Catherine Lenich

Notary Public

(print name)

My Commission expires ____/____/____

CATHERINE LENICH

Notary Public

My Commission Expires July 30, 2004

Inventor's Signature: _____

Robert W. Daly
Robert W. Daly

State/Commonwealth

of _____

Massachusetts

County of _____

Norfolk

Then personally appeared before me the above-named **Robert W. Daly** and acknowledged that he executed the foregoing instrument as his free act and deed this 6th day of November, 2003.

(SEAL)

Jeffrey K. Savitt
Jeffrey K Savitt

Notary Public

(print name)

My Commission expires 12 / 11 / 2003