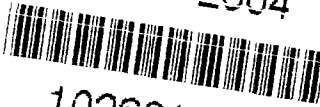


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U.S. Patent and Trademark Office

31353 U.S. PTO
10765625



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

1. Name of conveying party(ies):

- a) Michael Benser
- b) Ruth Lyons
- c) Eric Falkenberg

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other _____

- a) 1/23/2004
- b) 1/23/2004
- Execution Date: c) 1/26/2004

2. Name and address of receiving party(ies)

Name: PACESETTER, INC.

Internal Address: _____

Street Address: 15900 Valley View Court

City: Sylmar State: CA Zip: 91392-9221

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

4. Application number(s) or patent number(s):

10765625

If this document is being filed together with a new application, the execution date of the application is: 01/26/2004

A. Patent Application No.(s) _____

B. Patent No.(s) _____

04P1009

Additional numbers attached? Yes No

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

Name: PACESETTER, INC.

Internal Address: Legal Department

Street Address: 15900 Valley View Court

City: Sylmar State: CA Zip: 91392-9221

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ _____

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

16-0068

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9. Signature.

Estella Pineiro

Name of Person Signing

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PATENT
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ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, we

- | | | |
|---|---|---|
| 1) Michael Benser
24353 Astor Racing Court
Valencia, CA 91354 | 2) Ruth Lyons
1740 Don Carlos Avenue
Glendale, CA 91208 | 3) Eric Falkenberg
2820 Royal Hills Court
Simi Valley, CA 93065 |
|---|---|---|

1. HEREBY sell, assign, and transfer to Pacesetter, Inc., herein the "Assignee," the entire right, title and interest in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith, and is entitled

AUGMENTING HYPOVENTILATION

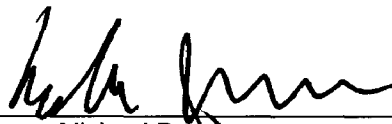
being identified in Pacesetter records as case number: **A04P1009**

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be filed in the United States and all foreign countries on said improvements;

2. AGREE that Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns, and legal representatives who carry out in good faith the intent and purpose of this agreement, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

3. COVENANT with said Assignee, its successor, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: Jan 23, 2004

Signature: 
Michael Benser

Date: 1/23/04

Signature: 
Ruth Lyons

Date: 1/26/04

Signature: 
Eric Falkenberg