02-2	0 ~ 2004 US DEPARTMENT OF COMMERCE			
FEB 0 9 2004 &	Patent and Trademark Office			
To the Honorable Commissioner of Patents and Trademarks. 26	75532 iginal documents or copy thereof.			
1. Name of conveying pain (jes) AAC OSTROVSKY,	2. Name and address of receiving party.			
WILLIAM E. WEBLER, MARK S. BUHR	Name: SCIMED LIFE SYSTEMS, INC.			
Additional name(s) of conveying party(ies) attached?				
☐ Yes 🖾 No	Internal Address: Mail Stop A150			
3. Nature of conveyance:	'			
Assignment	City: Maple Grove State: MN Zip: 55311-1566			
☐ Security Agreement ☐ Change of Name				
	Street Address: One Scimed Place			
Other				
	City: Maple Grove State: MN Zip: 55311-1566			
Execution Date: January 28, 2004				
<u>.</u>	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).: 10/639,299	B. Patent No(s).:			
A. Patent Application No(s) 10/009/299				
Additional numbers at	tached? 🔲 Yes 🖾 No			
	6. Total number of applications and patents involved: One			
Name and address of party to whom correspondence concerning document should be mailed:	O. 75 Carrier and Physics			
Name: Joseph K. Liu	7. Total fee (37 CFR 3.41): \$ 40.00			
Name. <u>gesoprite du</u>	Enclosed.			
Internal Address: Orrick, Herrington & Sutcliffe LLP				
4 Park Place, Suite 1600	□ Charge this Deposit Account If any additional fee is			
Irvine, CA 92614-2558	required			
Customer No. 34313				
	8. Deposit Account Number: 15-0665			
DO NOT US	E THIS SPACE			
Statement and signature:	.			
	.			
To the best of my knowledge and belief, the foregoing information	ation is true and correct and any attached copy is a true copy of the			
original document. / //				
$A:A\setminus A$	4 4 2004			
	Date: February 4, 2004			
Joseph K. Liu, Reg No. 51,957				
Total number of page:	including cover sheet: 4			
	<u> </u>			
OMB No. 0651-0011 (exp. 4/94)				
	ach this portion			
Mail documents to be recorded with required cover sheet inf	ormation to:			
	Assignments			
A (FP: 898) \ 80, 90 PA Commissioner for F	Patents and Trademarks			
\ P.O.	Box 1450			
/ Alexandria,	VA 22313-1450			
Public burden reporting for this sample cover sheet is estima	ted to average about 30 minutes per document to be recorded,			
including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-				
Send comments regarding this burden estimate to the Office of Manager	ement and Budget, Paperwork Reduction Project, (0651-0011),			
Washington, D.C. 20503				

Attorney Docket: 701470.4070

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, Isaac Ostrovsky, a citizen of the United States, William E. Webler, a citizen of the United States, and Mark S. Buhr, a citizen of the United States (hereinafter referred to collectively as "ASSIGNORS"), have invented a certain invention entitled AUTOMATED LONGITUDINAL POSITION TRANSLATOR FOR ULATRASONIC IMAGING PROBES, AND METHODS FOR USING SAME, for which application for Letters Patent of the United States of America was filed on August 11, 2003, and assigned U.S. Patent Application Serial No. 10/639,299; and

WHEREAS, SCIMED LIFE SYSTEMS, INC., a corporation organized and existing under and by virtue of the laws of the state of MINNESOTA and having its place of business at One Scimed Place, Mail Stop A150, Maple Grove, Minnesota 55311-1566 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademarks and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

	Attorney Docket: 701470.4070
WITNESS my hand at Matick	_, Massachusetts, this 28 day of January 2004.
	ISAAC OSTROVSKY
On 2004 before me. Public, personally appeared 2004 before me. Proved to me on the basis of satisfactory evidence to be within instrument and acknowledged to me that he/sl capacity(ies), and that by his/her/their signature(s) on to of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. CATTLEEN KAY DYEA Notary Public Commonwealth of Massachusetts My Commission Expires March 9, 2007 WITNESS my hand at	DEVIDES EXECUTED THE STITE III May now against when
·	WILLIAM E. WEBLER
STATE OF CALIFORNIA) SS COUNTY OF	÷
within instrument and acknowledged to me that he/s	, the undersigned Notary
·	Notary Public in and for said County and State

		At	ttorney Docket: 701470.4070
WITNESS my hand a	at	, California, this	day of
2 00 7.			<u> </u>
		MARK S. BUHR	-
STATE OF CALIFORNIA)) ss		
COUNTY OF)		
proved to me on the basis of within instrument and acknowledge.	satisfactory evidence to to nwledged to me that he/s	she/they executed the	, the undersigned Notar sonally known to me - OR - name(s) is/are subscribed to the same in his/her/their authorize son(s), or the entity upon behalon.
of which the person(s) acted,	executed the instrument.	-	
WITNESS my hand	and official seal.		
		Notary Public in and	l for said County and State

3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/639,299

Confirmation No.:

6308

Applicant

William E. Webler, et al.

Filing Date

August 11, 2003

Title :

Automated Longitudinal Position Translator for Ultrasonic

Imaging Probes, and Methods of Using Same

Group Art Unit:

not yet assigned

Examiner

not yet assigned

Docket No.

701470.4070

Customer No. ::

34313

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria; VA 22313-1450

DECLARATION OF FACTS IN SUPPORT OF FILING ON BEHALF OF OMITTED/UNAVAILABLE INVENTORS (37 C.F.R. § 1.47(A))

Sira

This Declaration is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the Declaration by the omitted/unavailable inventors for the above-identified patent application before deposit thereof in the U.S. Patent and Trademark Office.

This Declaration is being made by the available person having first-hand knowledge of the facts recited herein.

> CERTIFICATE OF MAILING 37 CFR §1.8

I hereby certify, pursuant to 37 CFR §1.5, that I have reasonable basis to expect that this paper or fee (along with any referred to as being attached or enciosed) would be malled or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: February 4, 2004

PATENT

REEL: 015076 FRAME: 0229

Applicant

William E. Webler, et al.

Appl. No.

701470.4070

Examiner Docket No. not yet assigned not yet assigned

<u>IDENTIFICATION</u>	NOF PERSON MAKING THIS DECLARATION OF FACTS
Name of Declarant:	
Address of Declarant:	Orrick, Herrington & Sutcliffe LLP, 4 Park Plaza, Suite 1600,
Irvine, Califo <u>rnia 9261</u> 4	1- <u>2558</u>
	ADDRESS OF THE OMITTED/UNAVAILABLE INVENTOR illable inventor: William Webler
	omitted/unavailable inventor: 840 Baker Street, Apt. 104,
Last known address of	offitted/difavallable inventor. Offo Baker Offoge, Fibra 18 H
Costa Mesa, California	92626
Name of omitted/unava	ilable inventor: Mark Buhr
Last known address of	omitted/unavailable inventor: 231 48th Street, Newport Beach,
California 92663	

DETAILS OF DILIGENT EFFORT TO SECURE THE SIGNATURE OF THE UNAVAILABLE INVENTORS

- 1. Ms. Brenda House, employee of Scimed Life Systems, confirmed to me on November 12, 2003 that Mr. William Webler and Mr. Mark Bühr were no longer employees of Scimed Life Systems.
- 2. On November 12, 2003, I found addresses for Mr. Webler and Mr. Buhr on the Declaration previously submitted in the parent patent application entitled "Automated Longitudinal Position Translator for Ultrasonic Imaging Probes, and Methods of Using Same."
- 3. In early December, Ms. Brenda House confirmed to me that the addresses specified in \P 2 are Mr. Webler's and Mr. Buhr's last addresses known to Scimed Life Systems, Inc.

Applicant

William E. Webler, et al.

Appl. No. Examiner 701470.4070

Examiner : Docket No. : not yet assigned not yet assigned

- 4. In early December, I called Orange County Directory Assistance to obtain telephone numbers for the inventors specified in ¶2 at the addresses last known, but I was advised that there were no telephone numbers listed for either person in all of Orange County.
- 5. A letter was sent via certified mail enclosing a copy of the continuation-in-part patent application entitled, "Automated Longitudinal Position Translator for Ultrasonic Imaging Probes, and Methods of Using Same" and corresponding Declaration to Mr. Webler's and Mr. Buhr's last known addresses on December 15, 2003.
- 6. Both the documents sent to Mr. Webler and the documents sent to Mr. Buhr, as stated in ¶ 5 were returned to sender as forwarding addresses had expired or were unclaimed. Attached as **Exhibit A** are true and correct copies of the returned documents.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such statements may jeopardize the validity of the application or any patent issued thereon.

Dated: February 4, 2004

Sally/Hartwell

EXHIBIT A

-1-

: 015076 FRAME: 0233

840 Baker Street
Apt. 104
Costa Mesa, California 92626 E77E E4E8 8000 055E Pg **PATENT**



December 15, 2003

ORRICK, HERRINGTON & SUTCLIFFE TLP 4 PARK PLAZA SUITE 1600 [EVINE, CA 92614-2558 tel 949-567-6700 fax 949-567-6710 WWW.ORRICK.COM

Joseph K. Liu jliu@orrick.com

> VIA CERTIFIED MAIL 7099 3220 0008 8363 3773

Mr. William B. Webler 840 Baker Street Apt. 104 Costa Mesa, California 92626

Re:

U.S. Patent Application

Title: AUTOMATED LONGITUDINAL POSITION TRANSLATOR FOR

ULTRASONIC IMAGING PROBES, AND METHODS OF USING

SAME

BSC Ref.: 98-P0033(5)

Orrick Docket No. 701470.4070

Dear Mr. Webler:

My name is Joseph Liu, and I am a patent attorney representing Boston Scientific Corporation. We wish to file a continuation-in-part of the patent application titled "Automated Longitudinal Position Translator for Ultrasonic Imaging Probes, and Methods of Using Same," which you are a named inventor of. Thus, we need to obtain your signature on the Declaration enclosed. We sent these documents to the last known address in our records. If you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Best regards,

Joseph Liu

JKL/sjh

Enclosure (1)

U.S. Postal Service
CERTIFIED MAIL REGEIPT
(Domestic Unail Only No Insurance Coverage Provided)

Article Sent 16:

Postage 5

Certified Fee (Endorsement Required)
Restricted Dalivery Fee (Endorsement Required)
Tetal Postage & Fees

Strate Postage & Fees

Strate Postage & Fees

Strate Postage & Fees

Cov. State, 249-4

Cov. State, 249-

DOCSOC1:145614.1

Orrick Docket No.: 701470.4070

DECLARATION Utility Application

As a below named inventor, I hereby declare that:

.My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a palent is sought on the invention entitled AUTOMATED LONGITUDINAL POSITION TRANSLATOR FOR ULTRASONIC IMAGING PROBES, AND METHODS OF USING SAME the specification of which

DETTO QUITO III		· • ·
(Check One)	. 🗷	is attached hereto OR was filed on <u>August 11, 2003</u> as United States Application Serial No <u>10/639,299</u> or PCT International Application No and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

Lacknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Yes	Claimed No
Друпацион панку (_/				

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
10/401,901	<u> </u>	March 28, 2003	pending
10/138,477		May 3, 2002	pending
09/794,543		February 26, 2001	issued
09/397,836	·	September 16, 1999	issued

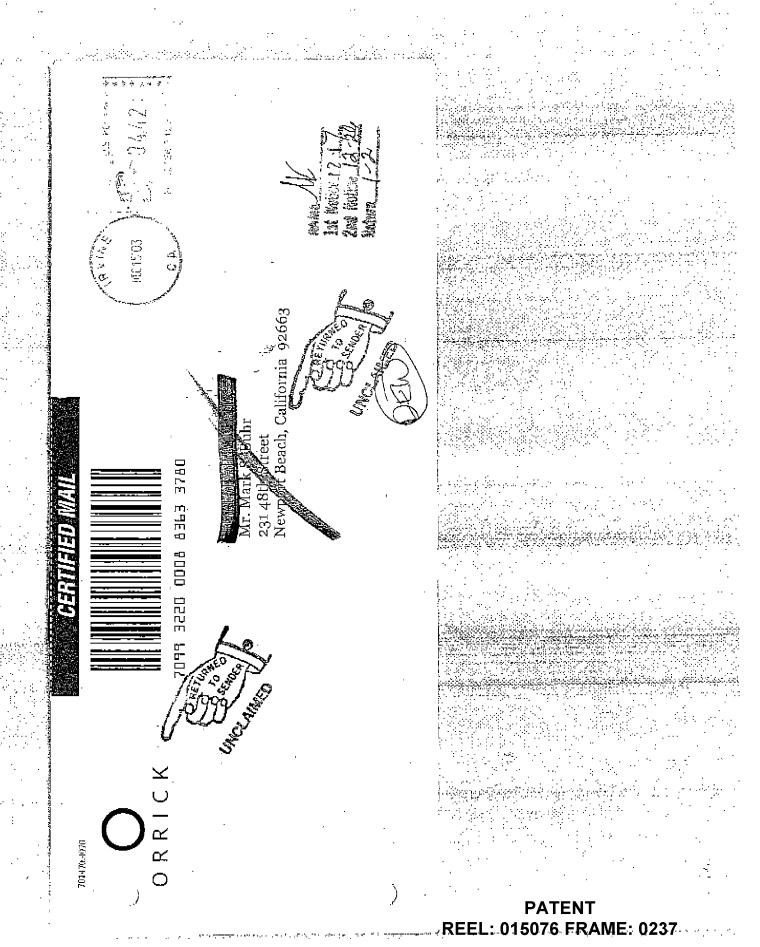
Page 1 of 2

Orrick Docket No. 701470,4021

U.S. Parént Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/040,058		March 17, 1998	Issued
08/747,773		November 13, 1996	Issued
08/573,507		December 12, 1995	Issued
08/285,969		August 4, 1994	Issued
07/906,311		June 30, 1992	Issued

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name Ostrovsky	
201	RESIDENCE &	City . Wellesley	State or Foreign Country MA	Country of Citizens United States	·-·
	POST OFFICE ADDRESS	5 Willow Street	City Wellesley	State or Country MA	Zip Code 02481
INV	/ENTOR'S SIGNATU	RE		DATE	
				_	_
· - ··	FULL NAME OF	FIRST Name William	MIDDLE Initie: E.	LAST Name Webier	. <u>-</u>
202	RESIDENCE &	City Costa Mesa	State or Foreign Country California	Country of Citizens United States	_
	POST OFFICE ADDRESS	840 Baker Street, Apt. 104	City Costa Mesa	State or Country California	Zip Code 92626
INV	•	RE		DATE	
<u>-</u> .					
	FULL NAME OF INVENTOR	FIRST Name Mark	MIDDLE Initial S.	LAST Name Buhr	
203	RESIDENCE & CITIZENSHIP	City Newport Beach	State or Foreign Country California	Country of Citizens	· · ·
	POST OFFICE ADDRESS	231 48th Street	City Newport Beach	State or Country California	Zip Code 92663
INV	ENTOR'S SIGNATU	RE		DATE	





DREICK, HERRINGTON & SUTCLIFFE LAP
4 PARK PLAZA
SUITS 1600
IRVINE, CA 92614-2558
IEI 949-567-6700
fax 949-567-6710
WWW.ORRICK.COM

December 15, 2003

Joseph K. Liu jliu@orrick.com

> VIA CERTIFIED MAIL 7099 3220 0008 8363 3780

Mr. Mark S. Buhr 231 48th Street Newport Beach, California 92663

Re:

U.S. Patent Application

Title: AUTOMATED LONGITUDINAL POSITION TRANSLATOR FOR ULTRASONIC IMAGING PROBES, AND METHODS OF USING

SAME

BSC Ref.: 98-P0033(5) .

Orrick Docket No. 701470.4070

Dear Mr. Buhr.

My name is Joseph Liu, and I am a patent attorney representing Boston Scientific Corporation. We wish to file a continuation-in-part of the patent application titled "Automated Longitudinal Position Translator for Ultrasonic Imaging Probes, and Methods of Using Same," which you are a named inventor of. Thus, we need to obtain your signature on the Declaration enclosed. We sent these documents to the last known address in our records. If you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Best regards.

Joseph Liu

JKL/sjb -

Enclosure (1)

U.S. Postal Service
CERTIFIED MAIL RECEIP!
(Pomestic Mail Only: No insurance coverage Provided)

Article Sent 10:

Postage
Certified Fee
(Endorsement Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)
Total Postage & Fees

Name (Please Print Clearly) (To be completed by maller)
Mr. Mark S. Buhr
Street, Apt. No.: or PO Box No.
231 48th Street
City, State, ZIF+4
Newpope Peach 25676 PATENT

Orrick Docket No.: 701470.4070

DECLARATION Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AUTOMATED LONGITUDINAL POSITION TRANSLATOR FOR ULTRASONIC IMAGING PROBES, AND METHODS OF USING SAME the specification of which

(Check One)	×	is attached hereto OR was filed on <u>August 11, 2003</u> as United States Application 10/639,299 or PCT international Application No and was on (if applicable).	Serial No. as amended

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	<u>Priority Claimed</u> Yes No	

! hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned	
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09/794,543		February 26, 2001	issued	
09/397,836		September 16, 1999	issued .	

Page 1 of 2 .

Orrick Docket No. 701470.4021

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned	
09/040,058	<u> </u>	March 17, 1998	lssued	
08/747,773	<u> </u>	November 13, 1996	Issued	
08/573,507	<u> </u>	December 12, 1995	Issued	
08/285,969	<u> </u>	August 4, 1994	ssued	
07/906,311	<u>-</u>	June 30, 1992	Issued	

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name Ostrovsky	
201	RESIDENCE &	City Wellesley	State or Foreign Country MA	Country of Citizenship United States	
	POST OFFICE ADDRESS	5 Willow Street	City Wellesley	State or Country MA	Zip Code 02481
INV	'ENTOR'S SIGNATU	DATE			
	 -				
	FULL NAME OF INVENTOR	FIRST Name W illiam	MIDDLE Initial E.	LAST Name Webler	
202	RESIDENCE & CITIZENSHIP	City Costa Mesa	State or Foreign Country California	Country of Citizenship United States	
	POST OFFICE ADDRESS	840 Baker Street, Apt. 104	City Costa Mesa	State or Country California	Zip Code 92626
INV	ENTOR'S SIGNATUR	DATE			
	,				
203	FULL NAME OF	FiRST Name Mark	MIDDLE Initial S.	LAST Name Buhr	. <u>.</u>
	RESIDENCE & CITIZENSHIP	City Newport Beach	State or Foreign Country California	Country of Citizenship	
	POST OFFICE ADDRESS	231 48th Street	City Newport Beach	State or Country California	Zip Code 92663
INVENTOR'S SIGNATURE				DATE	