

08/06/2004  
700106067Form PTO-1595 (Rev. 06/04)  
OMB No. 0651-0027 (exp. 8/30/2005)U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

## 1. Name of conveying party(ies)/Execution Date(s):

John C. Kull, M.D.

Execution Date(s) May 3, 2004Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other \_\_\_\_\_

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

Name: Medex, Inc.

Internal Address: \_\_\_\_\_

Street Address: 2231 Rutherford RoadCity: CarlsbadState: CaliforniaCountry: USA Zip: 92008Additional name(s) & address(es) attached? ☐ Yes ☒ No

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

A. Patent Application No.(s)

60/544,843

☐ This document is being filed together with a new application.

B. Patent No.(s)

4,929,241; 4,904,242

Additional numbers attached? ☐ Yes ☒ No

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

Name: Kurt L. GrossmanInternal Address: Wood, Herron & Evans, LLPStreet Address: 2300 Carew Tower

441 Vine Street

City: CincinnatiState: OhioZip: 45202-2917Phone Number: 513-241-2324Fax Number: 513-241-6234Email Address: kgrossman@whipatent.com

## 9. Signature:

Signature

Kurt L. Grossman

Name of Person Signing

## 6. Total number of applications and patents involved:

3

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 120.00

- ☐ Authorized to be charged by credit card  
☒ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

## 8. Payment Information

a. Credit Card Last 4 Numbers \_\_\_\_\_

Expiration Date \_\_\_\_\_

b. Deposit Account Number 23-3000Authorized User Name Kurt L. Grossman

August 6, 2004

Date

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

4

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

CH \$120.00 233000 60544843

700112906

PATENT  
REEL: 015108 FRAME: 0929

### **Kulli Patent Assignment**

**WHEREAS**, John C. Kulli, M.D., an individual residing at 6908 Benedict Beach, Hamlin, NY 14464 ("Dr. Kulli") entered into an Agreement dated as of May 3, 2004 (the "Purchase Agreement"), with Medex, Inc., an Ohio corporation, having a place of business at 2231 Rutherford Road, Carlsbad, CA 92008 ("Medex"), and Sero-Guard Corporation, a Canadian Corporation having a place of business at 225 Metcalfe Street, Suite 700, Ottawa K2P 1P9 Canada ("Sero-Guard"); and

**WHEREAS**, pursuant to the Purchase Agreement, Dr. Kulli agreed to sell, assign and transfer to Medex all worldwide right, title and interest in and to the certain patent properties, including United States Patent Nos. 4,929,241 and 4,904,242, and United States Patent Application No. 60/544,843 filed February 13, 2004, and all continuations, continuations-in-part, divisions, predecessor applications or patents (excepting as related to U.S. Patent No. 4,904,242), reissues, reexaminations, refilings, certification, or other patents or applications corresponding to or derived from any of the foregoing, whether United States or foreign, whether currently or previously pending or issued, or subsequently filed or obtained (the foregoing collectively, "the Patent Rights"); and

**WHEREAS**, Sero-Guard claims to have certain licensable rights in the Patent Rights which it has agreed to sell to Medex; and

**WHEREAS**, the Patent Rights may be subject to one or more Prior Licenses as defined in the Purchase Agreement.

**NOW, THEREFORE**, for ten dollars and other good and valuable consideration, receipt and sufficiency of which is acknowledged, Dr. Kulli and Sero-Guard do hereby sell, assign and transfer to Medex, free and clear of all liens and encumbrances, and subject to the Prior Licenses, all right, title and interest throughout the world in and to the Patent Rights, and in and to the subject-matter disclosed in said Patent Rights, including all Letters Patent issued or to be obtained thereon, including all rights and interests with priority rights under the Paris Convention for the Protection of Industrial Property, the International Patent Cooperative Union, European Patent Convention, Common Market Convention, or any other Convention or Union for each country of said Convention or Union; including the right to recover for past infringements thereof. Dr. Kulli and Sero-Guard further authorize and request that all Letters Patent granted on said Patent Rights and all future patents granted upon the subject-matter disclosed therein be issued to Medex, its legal representatives and assigns. Dr. Kulli and Sero-Guard shall execute, or cause to be executed, all proper papers and take all proper actions reasonably necessary to affect the transfer contemplated hereby.

**IN WITNESS WHEREOF**, Dr. Kulli and Sero-Guard have executed this Assignment as of the 3<sup>rd</sup> day of May 2004.

John C. Kulli, M.D.

*John C. Kulli*  
Signature

State of New York )  
County of Monroe ) ss.

The foregoing was subscribed and sworn to before me this 28 day of July, 2004, by John C. Kulli, M.D.

Witness my hand and official seal.

(Notarial Seal)

*Patricia J. Falzone*  
NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_

PATRICIA J. FALZONE  
Notary Public, State of N.Y. Monroe Co.  
My Commission Expires Dec. 31, 2005  
4691202 01 FA

Sero-Guard Corporation

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Title

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

The foregoing was subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by \_\_\_\_\_, as \_\_\_\_\_ of Sero-Guard Corporation.  
Printed Name Title

Witness my hand and official seal.

(Notarial Seal)

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_

John C. Kuhl, M.D.

\_\_\_\_\_  
Signature

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

The foregoing was subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by John C. Kuhl, M.D.

Witness my hand and official seal.

(Notarial Seal)

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires

Sero-Guard Corporation

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Title

Proven  
State of New South )  
County of Canada ) ss.

The foregoing was subscribed and sworn to before me this 15<sup>th</sup> day of July, 2004, by  
RICHARD C. SILCOM, as TECHNICAL DIRECTOR of Sero-Guard Corporation.  
Printed Name Title

Witness my hand and official seal.

(Notarial Seal)

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires N/A.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



AUGUST 31, 2004

PTAS

\*700106067A\*

WOOD, HERRON & EVANS, LLP  
KURT L. GROSSMAN  
441 VINE STREET  
2300 CAREW TOWER  
CINCINNATI, OH 45202-2917

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 700106067

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. THE CREDIT CARD FORM IS NEEDED WITH ALL YOUR CREDIT CARD NUMBERS AND THE CREDIT FORM COMPLETED. RETURN ALL DOCUMENTS BACK FOR RECORDING FAX NO. 703-306-5995

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

**WOOD, HERRON & EVANS, L.L.P.**

BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, Ph. D.

OF COUNSEL  
JOHN D. POFFENBERGER  
THOMAS W. FLYNN

2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

WEBSITE: www.whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

September 8, 2004

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD  
J. DWIGHT POFFENBERGER, JR.  
KATHRYN E. SMITH  
KRISTI L. DAVIDSON  
P. ANDREW BLATT, Ph. D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, Ph. D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
WESLEY L. STRICKLAND\*  
STEVEN W. BENINTENDI, Ph. D.  
RANDALL S. JACKSON, JR.

\*ADMITTED ONLY IN D.C. AND VA

Automated Patent Assignment System  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 2231301459

Re: Assignment Recordation

Dear Sir/Madam:

This letter is sent per instructions of Mary Benton at the USPTO. Ms. Benton mistakenly forwarded a Notice of Non-recordation of document to us indicating insufficient credit card information. As you will see on the Recordation Form Cover Sheet, it indicates that the fees for recording the Assignment should be charged to our Deposit Account. Please record the Assignment and charge our deposit account accordingly.

Thank you for your attention to this matter.

Very truly yours,

  
Kurt L. Grossman

KLK:lis  
Enclosures

**WOOD, HERRON & EVANS, L.L.P.**

JOHN D. POFFENBERGER  
BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINBRUNNER  
DAVID H. BRINKMAN

OF COUNSEL  
THOMAS W. FLYNN

TRADEMARK AND INT'L  
PATENT ADMINISTRATION  
KATHRYN P. EVANS  
STAFF ATTORNEY

2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-421-7269

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD  
1923-1968  
TRUMAN A. HERRON  
1935-1976  
EDWARD B. EVANS  
1936-1971

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.  
BEVERLY A. LYMAN, Ph.D.  
KRISTI L. DAVIDSON  
P. ANDREW BLATT  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, Ph.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
G. PRABHAKAR REDDY  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH O. GRABER  
LARRY D. MOORE, B.S.E.E.

HENRY M. LABODA, Ph.D.  
TECHNICAL ADVISOR

**FACSIMILE COVER SHEET**

TO: Automated Patent Assignment System FROM: Kurt L. Grossman, Esq.

DATE: September 8, 2004 RE: U.S. Patent Appl. No.: 60/544,843 and  
U.S. Patent Nos. 4,929,241; 4,904,242

FAX NO.: 1-703-306-5995 TOTAL PAGES: 7 (including cover sheet)

**MESSAGE/COMMENTS: OFFICIAL**

Attached is Form 1595 for recording of an Assignment for the above-referenced U.S. Patents, the Kulli Patent Assignment, the Notice of Non-Recordation of Document form and a letter explaining the confusion for the non-recordation. Please record the Assignment and charge our Deposit Account No. 23-3000 \$120.00 for the recordation fee.

Thank you.

Kurt L. Grossman  
Reg. No. 29,799

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this fax is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via United States Postal Service. Thank you.

**RECORDED: 09/08/2004****PATENT  
REEL: 015108 FRAME: 0935**