

Attorney Docket No. PHOTP005

Form **PTO-1595** (Rev. 10-02) **Recordation Form Cover Sheet PATENTS ONLY** U.S. Department of Commerce U.S. Patent and Trademark Office

Tab settings ⇌⇌⇌

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

1. Name of conveying party(ies):  
 Mohamed Elmandjra  
 William O'Keefe  
 Jian Min Mao  
 Robin Bush  
 Linda Christenson

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

2. Name and address of receiving party(ies)

Name: ViOptix, Inc.

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

\_\_\_\_\_

Street Address: 44061-B Old Warm Springs Blvd.

\_\_\_\_\_

City: Fremont State: CA ZIP: 94538

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

3. Nature of conveyance:

Assignment  Merger

Security Agreement  Change of Name

Other: \_\_\_\_\_

Execution Date: 09/02/2004, 09/07/2004, 09/02/2004, 09/03/2004, 09/08/2004

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): 10/838,142 B. Patent No(s): \_\_\_\_\_

Additional numbers attached?  Yes  No

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

Name: Michael J. Ritter  
RITTER, LANG & KAPLAN LLP  
12930 Saratoga Avenue, Suite D1  
Saratoga, California 95070  
(408) 446-8690

6. Total number of applications and patents involved

7. Total fee (37 CFR 3.41): -----\$40.00

Enclosed


Authorized to be charged to deposit account

8. Deposit account number: 50-1652

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. 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 of copy of the original document.*

Michael J. Ritter  October 13, 2004

Name of Person Signing Signature Date

Atty. Reg. No. 36,653

Total number of pages including cover sheet, attachments, and documents:  
 Mail documents to be recorded with required cover to:  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

### ASSIGNMENT OF PATENT APPLICATION

(Not Accompanying Application)

Whereas I/we the undersigned inventor(s) have invented certain new and useful improvements as set forth in the patent application entitled:

#### DIAGNOSIS OF PERIPHERAL VASCULAR DISEASE USING OXYGEN SATURATION

for which I (we) have executed an application for a United States Letters Patent which was filed in the U.S. Patent and Trademark Office on May 3, 2004, and which bears the Application No. 10/838,142.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/We the undersigned inventor(s) hereby:

- 1) Sell(s), assign(s) and transfer(s) to **ViOptix Inc.**, a **Delaware** corporation having a place of business at **44061-B Old Warm Springs Blvd., Fremont, CA 94538**, (hereinafter referred to as ("ASSIGNEE")), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (including foreign patents) granted upon the information which is disclosed in the above referenced application.
- 2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any division(s), continuation(s), substitutes(s) or reissue(s) thereof to the ASSIGNEE.
- 3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.
- 4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventor(s), as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that I/we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date(s) indicated beside my (our) signature(s).

1) **Signature:**   
**Typed Name:** MOHAMED ELMANDJRA

**Date:** 9/2/04

State of \_\_\_\_\_

(notary)SS:

County of \_\_\_\_\_

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal

\_\_\_\_\_  
(Notary Public)

2) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** WILLIAM O'KEEFE

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary)SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

3) **Signature:** Jian Min Mao **Date:** Sep. 2, 2004  
**Typed Name:** JIAN MIN MAO

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary) SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

4) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** ROBIN BUSH

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary)SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

5) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** LINDA CHRISTENSON

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary)SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal

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(Notary Public)

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Signed on the date(s) indicated beside my (our) signature(s).

1) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Typed Name:** **MOHAMED ELMANDJRA**

State of \_\_\_\_\_ )

(notary)SS:

County of \_\_\_\_\_ )

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal

\_\_\_\_\_  
(Notary Public)

2) Signature:   
Typed Name: **WILLIAM O'KEEFE**

Date: 09-07-04

State of \_\_\_\_\_ )

(notary)SS:

County of \_\_\_\_\_ )

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal

\_\_\_\_\_  
(Notary Public)

\*\*\*\*\*

3) Signature: \_\_\_\_\_  
Typed Name: **JIAN MIN MAO**

Date: \_\_\_\_\_

State of \_\_\_\_\_ )

(notary) SS:

County of \_\_\_\_\_ )

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal

\_\_\_\_\_  
(Notary Public)

\*\*\*\*\*

4) Signature: \_\_\_\_\_  
Typed Name: **ROBIN BUSH**

Date: \_\_\_\_\_

State of \_\_\_\_\_ )

(notary)SS:

County of \_\_\_\_\_ )

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\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal

\_\_\_\_\_  
(Notary Public)

\*\*\*\*\*

5) **Signature:** \_\_\_\_\_  
**Typed Name:** LINDA CHRISTENSON

**Date:** \_\_\_\_\_

State of \_\_\_\_\_ )

(notary)SS:

County of \_\_\_\_\_ )

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Signed on the date(s) indicated beside my (our) signature(s).

1) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** **MOHAMED ELMANDJRA**

State of \_\_\_\_\_ )  
(notary)SS:  
County of \_\_\_\_\_ )

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Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*



2) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** **WILLIAM O'KEEFE**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary)SS:

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Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

3) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** **JIAN MIN MAO**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary) SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

4) **Signature:**  **Date:** 9-3-04  
**Typed Name:** **ROBIN BUSH**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary)SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

5) **Signature:** \_\_\_\_\_  
**Typed Name:** LINDA CHRISTENSON

**Date:** \_\_\_\_\_

State of \_\_\_\_\_ )

(notary)SS:

County of \_\_\_\_\_ )

Before me personally appeared said \_\_\_\_\_  
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1) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** **MOHAMED ELMANDJRA**

State of \_\_\_\_\_ )  
(notary)SS:  
County of \_\_\_\_\_ )

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

2) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** **WILLIAM O'KEEFE**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary)SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

3) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** **JIAN MIN MAO**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary) SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

4) **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Typed Name:** **ROBIN BUSH**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) (notary)SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2003.

Seal \_\_\_\_\_ (Notary Public)

\*\*\*\*\*

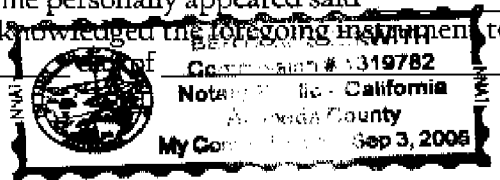
5) Signature: *Linda Christenson*  
Typed Name: LINDA CHRISTENSON

Date: 8 Sep 04

State of CALIFORNIA )  
(notary)SS:  
County of ALAMEDA )

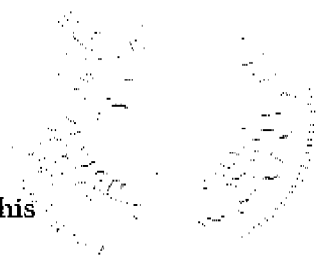
Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his/her free act and deed this

*8<sup>th</sup>*  
*September*  
Seal



2007 ~~06~~

*Benj M. Beckwith*  
(Notary Public)



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