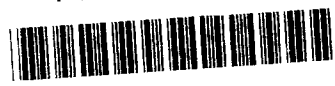


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11-05-2004



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Rec'd PGT/PTO 02 SEP 2003

10/399589

Atty Docket No: 0341-0001.02

PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 28, 2003

In re application of: Robert C. FARNAN )  
Serial No: 10/399,589 )  
Filed: April 18, 2003 )  
For: BALLOON CATHETER WITH )  
NON-DEPLOYABLE STENT )  
Art Unit: )  
Examiner: )

*Cristie M. Hill*

PATENT ASSIGNMENT COVER SHEET

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: August 28, 2003

Sir:

Please record the attached original document or copy thereof. Total number of pages (with cover sheet): 2

1a. Name of Conveying Party(ies): <u>Robert C. FARNAN</u>	5. Name and Address of Party to Whom Correspondence Concerning Document Should be Mailed:
1b. Name of Conveying Party(ies): _____	<u>Mark J. Murphy</u> <u>COOK, ALEX, McFARRON, MANZO, CUMMINGS &amp; MEHLER, LTD.</u> <u>200 West Adams Street, Suite 2850</u> <u>Chicago, Illinois 60606</u>
2a. Name and Address of Receiving Party(ies): Name: <u>Novoste Corporation</u> Address: <u>3890 Steve Reynolds Boulevard</u> <u>Norcross, Georgia 30093</u> <u>USA</u>	6. Total Number of Applications and Patents Involved: <u>1</u>
2b. Name and Address of Receiving Party(ies): Name: _____ Address: _____	7. Total Fee (37 CFR 3.41): <u>\$40.00</u> 7a. <input checked="" type="checkbox"/> Enclosed 7b. <input checked="" type="checkbox"/> Authorized to be Charged to Deposit Account For Any Deficiency
3. Nature of Conveyance <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Execution Date: <u>August 12, 2003</u>	8. Deposit Account Number: <u>50/1039</u> (A duplicate copy of this page is attached)
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: _____)	9. Statement and Signature: <i>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.</i>
4a. Patent Application No.(s) <u>10/399,589</u>	<u>Mark J. Murphy</u> Name of Person Signing Reg. No: 34,225 <i>[Signature]</i> Signature
4b. Patent No.(s) _____	Date: August 28, 2003

DO NOT USE THIS SPACE

Attorney Docket 0341-0001.02

## ASSIGNMENT

**Identity Of The Patent Application.** I am the inventor of a patent application that I am assigning. The patent application I am assigning is entitled BALLOON CATHETER WITH NON-DEPLOYABLE STENT, which I executed herewith. If the patent application has already been filed, it received serial number 10/399,589 and bears a filing date of April 18, 2003.

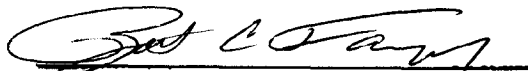
**The Assignee and The Assignment.** I assign my patent rights to Novoste Corporation a corporation organized according to the laws of Florida, having a place of business at 3890 Steve Reynolds Boulevard, Norcross, Georgia 30093 (hereinafter "the Assignee"). The rights I assign are my entire right, title and interest in the invention or improvements disclosed in the patent application and any and all other applications for United States Letters Patent which I may file, either solely or jointly with others, on the invention or improvements, including all continuations, divisionals, and continuations-in-part, and in any and all United States Letters Patent which may be obtained on any of said applications, and in any reissue or extension thereof. I also assign to the Assignee all priority rights under the International Convention. I agree to execute, at the request of the Assignee, all documents in connection with any application for United States letters patent therefor.

**Payment Received.** I am making this assignment in consideration of One Dollar and other good and valuable consideration. I acknowledge the receipt and sufficiency of the consideration.

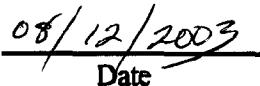
**Authorizations.** I request the U.S. Commissioner of Patents and Trademarks to issue the Letters Patent to the Assignee. I authorize the attorney(s) of record in the application to insert in this assignment document the date and serial number of the application.

**Further Acts.** I agree, upon the request and at the expense of the Assignee, to execute any divisional, continuation or substitute application for the invention or improvements, and any oath, declaration or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon the application. We agree to perform, upon request, any affirmative acts to obtain said Letters Patent of the United States and to vest in the Assignee all rights therein, so that the Letters Patent will be held and enjoyed by the Assignee, 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 and enjoyed by us if this assignment had not been made.

**Interference.** In the event that any application or Letters Patent that I now assign becomes involved in interference, I agree to cooperate to the best of my ability in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof.



Name: Robert C. Farnan



Date