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COVER SHEET

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Record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Dann P. McCreary

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

Name: **Nellcor Puritan Bennett Incorporated**

Internal Address:

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

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

Street Address: **4280 Hacienda Drive**

City: **Pleasanton** State: **CA** ZIP: **94588**

Execution Date: **November 6, 2004**

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

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

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

10/508,916

Additional numbers attached? Yes No

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

Name: **David G. Parkhurst**

Internal Address: **FULWIDER PATTON LEE
& UTECHT, LLP**

Howard Hughes Center

Street Address: **6060 Center Drive - 10th Fl.**

City: **Los Angeles** State: **CA** ZIP: **90045**

6. Total number of applications and patents involved: **1**

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

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06-2425

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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.

David G. Parkhurst

December 6, 2004

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **8**

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PATENT

REEL: 016137 FRAME: 0672

ASSIGNMENT

This Assignment is made by Dann P. McCreary of Escondido, California, Assignor, to NELLCOR PURITAN BENNETT INCORPORATED a Delaware corporation, Assignee, having a place of business at 4280 Hacienda Drive, Pleasanton, California 94588.

WHEREAS, Assignor Dann P. McCreary and co-inventor Edward H. Hann have invented a new and useful INFRARED TOUCHFRAME SYSTEM for which an International Application under the Patent Cooperation Treaty was filed on 20 March, 2003, Application No. PCT/US03/08577, which entered the U.S. National Phase as Serial No. 10/508,916; and

WHEREAS, Assignor Dann P. McCreary and co-inventor Edward H. Hann believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, or any subsequently filed division, continuation, continuation-in-part or reissue application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor Dann P. McCreary hereby sells, assigns and transfers to Assignee, his entire right, title and interest in and to said invention, said application, or any subsequently filed division, continuation, continuation-in-part or reissue application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

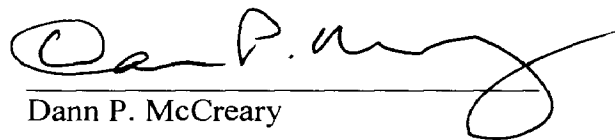
Assignor Dann P. McCreary represents and warrants that he has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor Dann P. McCreary authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the date written herein below.

Assignor:

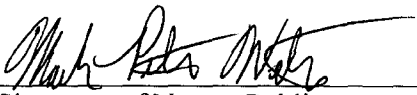
Date: NOV. 6, 2004


Dann P. McCreary

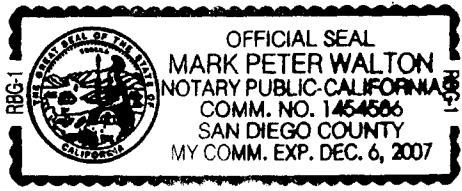
STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO) ss.

On NOVEMBER 6, 2004, before me, MARK PETER WALTON, a Notary Public in and for said County and State, personally appeared Dann P. McCreary, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) (is/are) subscribed to the within instrument, and acknowledged to me that (he/she/they) executed the same in (his/her/their) authorized capacit(-y/-ies), and that by (his/her/their) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Signature of Notary Public
MARK PETER WALTON.



[SEAL]

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