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Docket No.: 455678-00479

FORM PTO-1595 (Modified)
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05-05-2005

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



Tab settings

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To the Director of the United States Patent and Trademark Office, attached original documents or copy thereof.

1. Name of conveying party(ies):

Bernd Waldmann

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

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

Name: **Otologics, LLC**

Address: **5445 Airport Boulevard**

112967 U.S. PTO
11/115436
042705

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: **April 27, 2005**

City: **Boulder** State/Prov.: **Colorado**

Country: **Boulder** ZIP: **80301**

Additional name(s) & address(es) 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: **April 27, 2005**

Patent Application No. Filing date

B. Patent No.(s)

Additional numbers Yes No

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

Name: **Russell T. Manning, Esq.**

Registration No. **51,260**

Address: **MARSH FISCHMANN & BREYFOGLE LLP**

3151 South Vaughn Way, Suite 411

04/28/2005 KBETEMA1 00000052 11115436

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City: **Aurora** State/Prov.: **Colorado**

Country: **United States** ZIP: **80014**

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

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

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number:

50-1419

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

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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 copy of the original document.

Russell T. Manning

Name of Person Signing

Signature

April 27, 2005

74

Date

Total number of pages including cover sheet, attachments, and

Mail documents to be recorded with required cover sheet information to:
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PATENT
REEL: 016514 FRAME: 0732

**ASSIGNMENT
& APPOINTMENT OF COMMON REPRESENTATIVE**

WHEREAS, I, **Bernd Waldmann** of 3390 Cripple Creek Trail, Boulder, Colorado 80305, have invented a certain new and useful invention entitled **IMPLANTABLE HEARING AID ACTUATOR POSITIONING** for which a patent application has been prepared for filing with the United States Patent & Trademark Office, said application being identified as Attorney File No. 45568-00479;


NOW THEREFORE, be it known that I, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, **Otologics, LLC**, a Missouri corporation having a place of business at 5445 Airport Boulevard, Colorado 80301, its successors, legal representatives and assigns, the aforesaid application and all rights to claim priority directly or indirectly to the aforesaid application and all continuation, divisional, continuation-in-part and reissue applications, all patent applications that claim priority directly or indirectly to the aforesaid application, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; I also assign any right, title or interest in and to the invention that has not already been transferred to the assignee; I warrant that no assignment of the invention, application or patent therefor has been made to a party other than **Otologics, LLC**; I warrant that there is no obligation to make any assignment of the invention, application, or any patent therefor to any party other than **Otologics, LLC**; and I further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner For Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment to **Otologics, LLC**, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

Furthermore, I hereby irrevocably appoint **Otologics, LLC**, its successors, legal representatives and assigns, as common representative for any and all international patent applications filed pursuant to the Patent Cooperation Treaty, and all national phase applications derived therefrom, concerning the invention or claiming priority from the aforesaid application.

IN WITNESS WHEREOF, the party hereto has executed this Assignment & Appointment of Common Representative as of the date indicated hereunder.

Date: 4/27/05

By: 
Bernd Waldmann

STATE OF Colorado)
COUNTY OF Boulder) ss.

Before me, a Notary Public in and for said County and State, personally appeared **Bernd Waldmann**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 27th day of April, 2005.

Justine L. Simon
Notary Public

My Commission Expires: July 11, 2006