

10-06-2005

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office



ty. Docket No.: H-US-00229

103094739

ents or the new address(es) below.

To the Director of the U.S. Patent and Trademark Office

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

1. Henry E. Holsten
2. Frank J. Viola
3. Clifford L. Emmons

Execution Date(s) 1. 9/22/2005; 2. 9/22/2005; 3. 9/26/2005

Additional 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: TYCO Healthcare Group LP

Internal Address:

Street Address: 150 Glover Avenue

City: Norwalk

State: CT

Country: US Zip: 06856

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

4. Application or patent number(s):

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

A. Patent Application No.(s)

11/204,060

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No

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

Name: Mark Farber, Esq.

Internal Address: U.S.Surgical, A Division of

a Division of Tyco Healthcare Group, LP

Street Address: 150 Glover Avenue

City: Norwalk

State: Connecticut Zip: 06856

Phone Number: 203-845-1000

Fax Number: 203-846-5988

Email Address:

6. Total number of applications and patents involved:

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ 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 21-0550

Authorized User Name

9. Signature:

Brian D. Lefort
Signature

Sept. 29, 2005
Date

Brian D. Lefort, 43,747

Name of Person Signing

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

5

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

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40.00 DA

For: ☒ U.S. and/or ☒ Foreign Rights
For: ☒ U.S. Application or ☐ U.S. Patent
By : ☒ Inventor(s) or ☐ Present Owner

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,
ASSIGNORS:

1. Henry E. HOLSTEN
2. Frank J. VIOLA
3. Clifford L. EMMONS

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on: _____
Reel _____
Frame _____

hereby sells, assigns and transfers to

ASSIGNEE:

TYCO Healthcare Goup, LP
150 Glover Avenue
Norwalk, CT 06856
USA

and the successors, assigns and legal representatives of the ASSIGNEE

☒ the entire right, title and interest

☐ an undivided _____ percent (_____ %) interest for the United States and its territorial possessions

☒ and in all foreign countries, including all rights to claim priority, the right to sue for present, past and future infringement, in the United States, its territorial possessions, and in all foreign countries, including all treaty and convention rights in and to the invention and any and all improvements entitled:

SURGICAL STAPLING INSTRUMENTS INCLUDING A CARTRIDGE HAVING MULTIPLE STAPLE SIZES

and which is found in

- (a) ☐ U.S. patent application executed on even date herewith.
- (b) ☐ U.S. patent application executed on _____.
- (c) ☒ U.S. application Serial No. 11/204,060 filed on 08/15/2005.
- (d) ☐ U.S. provisional application No. 60/ _____
filed on _____.
- (e) ☐ U.S. Patent No. _____ issued _____.
- (f) ☐ PCT application No. _____
filed on _____.
- ☐ A change of address to which correspondence is to be sent
regarding patent maintenance fees is being sent
separately.

(g) [X] and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, continuation-in-part, divisional, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof

ASSIGNORS hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

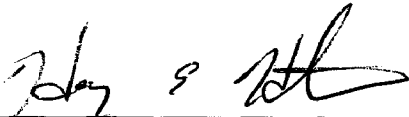
ASSIGNORS hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all such Letters Patent to ASSIGNEE:

ASSIGNORS further covenants to promptly provide all pertinent facts and documents known and accessible to ASSIGNORS relating to said invention and said Letters Patent and legal equivalents; to testify as to the same in any interference, litigation or proceeding related thereto; to execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patents which may be granted therefor in said ASSIGNEE, its successors, assigns or other legal representatives; to execute any additional or divisional applications for patents for said invention, or any part or parts thereof, and for the reissue of any Letters Patents to be granted therefor; and to make all rightful oaths and do all lawful acts requisite for procuring the same or for aiding therein, all without further compensation, but at the sole expense of ASSIGNEE, its successors, assigns, or other legal representatives.

ASSIGNORS hereby grants ASSIGNEE and Assignee's attorneys the power to insert the Serial No. and/or filing date of the above-described application(s) after such information becomes known to them.

IN WITNESS WHEREOF, IWe have hereunto set hand and seal.

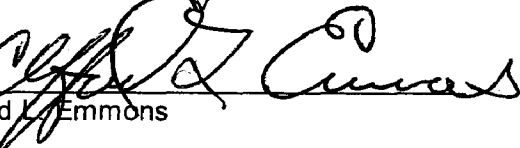
WARNING: Date of signing must be the **same as** the date of execution of the application if item (a) was checked above.

1. 
Henry E. Holsten

9/22/05
Dated

2. 
Frank J. Viola

9/22/05
Dated

3. 
Clifford L. Emmons

9/26/05
Dated

[X] Notarization or Legalization Page Added.

State of Connecticut

County of New Haven) ss North Haven

Before me this 22nd day of Sept 2005,

personally appeared Henry Holston to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.

Cathy A. Rein
Notary Public

AFFIX SEAL

Cathy A. Rein
NOTARY PUBLIC
State of Connecticut
My Commission Expires 11/31/07

2.
State of CT)
County of New Haven) ss North Haven

Before me this 22nd day of Sept. 2005,

personally appeared Frank Viola to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.

Cathy A. Rein
Notary Public

AFFIX SEAL

Cathy A. Rein
NOTARY PUBLIC
State of Connecticut
My Commission Expires 11/31/07

Page 3 of 4

3.

State of CT)
County of New Haven) ss North Haven

Before me this 26th day of September 2005,

personally appeared Clifford Emmons to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.

Cathy A. Rein

Notary Public

AFFIX SEAL

Cathy A. Rein
NOTARY PUBLIC
State of Connecticut
My Commission Expires 11/31/07