

Form PTO-1595 (Rev. 07/05)
OMB No. 0651-0027 (exp. 6/30/2008)U.S. DEPARTMENT OF COMMERCE
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1617878-0045

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

NexRay, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No**3. Nature of conveyance/Execution Date(s):**Execution Date(s) June 30, 2005

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☒ Other Assignment and Affidavit re: Same

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

Internal Address: _____

Street Address: 16541 Cypress WayCity: Los GatosState: CaliforniaCountry: U.S. Zip: 95030Additional 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)

B. Patent No.(s)

5,610,967

Additional numbers attached? ☐ Yes ☒ No**5. Name and address to whom correspondence concerning document should be mailed:**Name: Steven D. HemmingerInternal Address: White & CaseStreet Address: 3000 El Camino Real, 5 Palo Alto Square
10th FloorCity: Palo AltoState: California Zip: 94036Phone Number: (650) 213-0300Fax Number: (650) 213-8158Email Address: shemminger@whitecase.com**6. Total number of applications and patents involved: 1****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 Informationa. Credit Card Last 4 Numbers _____
Expiration Date _____b. Deposit Account Number 23-1703Authorized User Name Steven D. Hemminger**9. Signature:**

Signature

Date

Steven D. Hemminger

Name of Person Signing

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

2

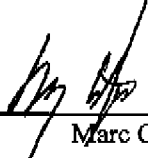
Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

CH \$40.00 231703 5610967

ASSIGNMENT AND AFFIDAVIT RE: SAME

1. I, Marc C. Whyte, am the President and Chief Executive Officer of NexRay, Inc. (hereinafter "ASSIGNOR") and have full authority to act for and on behalf of ASSIGNOR.
2. ASSIGNOR is a debtor under Title 11 of the United States Code in a chapter 11 proceeding before the United States Bankruptcy Court for the Northern District of California (hereinafter the "BANKRUPTCY COURT"). Lynda Wijcik (hereinafter "ASSIGNEE") is a secured creditor of ASSIGNOR.
3. For and on behalf of ASSIGNOR, I hereby confirm that ASSIGNOR has assigned and transferred unto ASSIGNEE, her successors, legal representatives and assigns ASSIGNOR's entire right, title and interest in, to and under United States Patent Number 5,610,967 (hereinafter the "ASSIGNED PATENT"). This assignment, in conjunction with certain other transfers of assets from ASSIGNOR to ASSIGNEE, was made with approval of the BANKRUPTCY COURT and in accordance with all applicable laws in satisfaction of the debt owed by ASSIGNOR to ASSIGNEE. To the extent that any rights, title and interests in, to and under the ASSIGNED PATENT remain in ASSIGNOR, I hereby assign and transfer unto ASSIGNEE, her successors, legal representatives and assigns all such rights, title and interests on behalf of ASSIGNOR.
4. Accordingly, I respectfully request that the aforementioned assignment of patent rights from ASSIGNOR to ASSIGNEE be recorded or otherwise registered in the official records of the United States Patent and Trademark Office.
5. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. These statements are made with the knowledge that willful false statements may jeopardize the validity of the ASSIGNED PATENT.

Respectfully submitted,



Marc C. Whyte

Date: 6-30-05

In the State of CA, county of Santa Clara on 6/30/05, before me, Julie Rowinski Notary Public, personally appeared Marc Whyte, personally known to me/proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Notary Public

