




Substitute Form PTO-1595  
Attorney Docket No.: 17075-027001 / 0131

## RECORDATION FORM COVER SHEET PATENTS ONLY

Commissioner for Patents; Please record the attached original document(s) or copy(ies).				
1. Name of conveying party(ies): <b>MICHAEL J. HENDRICKSEN and MICHAEL BARRETT</b> Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): <b>EMPHASYS MEDICAL, Inc.</b> <b>700 Chesapeake Drive</b> <b>Redwood City, CA 94063</b>  Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
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:  Execution Date: 1/11/2006; 1/11/2006	4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s).: 11/282,940 B. Patent No(s).:  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name/address of party to whom correspondence concerning document should be mailed:  <b>FRED C. HERNANDEZ</b> <b>Fish &amp; Richardson P.C.</b> <b>12390 El Camino Real</b> <b>San Diego, California 92130</b>	6. Total number of applications/patents involved: 1  7. Total fee (37 CFR §3.41): \$40 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to charge Deposit Account.  8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.			
<b>DO NOT USE THIS SPACE</b>				
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>  <table style="width: 100%; border: none;"> <tr> <td style="width: 30%; border: none;">           Fred C. Hernandez  <u>Reg. No. 41,832</u>            Name of Person Signing         </td> <td style="width: 30%; border: none; text-align: center;">             Signature         </td> <td style="width: 30%; border: none; text-align: right;"> <u>January 20, 2006</u>            Date         </td> </tr> </table>		Fred C. Hernandez <u>Reg. No. 41,832</u> Name of Person Signing	 Signature	<u>January 20, 2006</u> Date
Fred C. Hernandez <u>Reg. No. 41,832</u> Name of Person Signing	 Signature	<u>January 20, 2006</u> Date		
Total number of pages including coversheet, attachments and document: 5				

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### CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

January 20, 2006  
Date of Transmission

  
Signature

JONATHAN ONG  
Typed Name of Person Signing Certificate

700238444

**PATENT**  
**REEL: 017205 FRAME: 0403**

Attorney's Docket No. 17075-027001 / 0131

**ASSIGNMENT**

I, **MICHAEL J. HENDRICKSEN**, a citizen of the United States of America, residing at 1733 Virginia Avenue, Redwood City, CA 94063, U.S.A, for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 700 Chesapeake Drive, Redwood City, California, 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 11/282,940 entitled:

**BRONCHIAL FLOW CONTROL DEVICES AND METHODS OF USE**

which was filed on November 18, 2005, (applicant's attorney is authorized to enter application number after execution of this document) and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

**ASSIGNMENT**  
**HENDRICKSEN *et al.***

Attorney's Docket No. 17075-027001 / 0131

I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

DATE: 1/11/06


  
MICHAEL J. HENDRICKSEN

STATE OF CALIFORNIA  
 ) SS.  
COUNTY OF SAN MATEO

On JANUARY 11, 2006, before me, the undersigned, a notary public for the State of CALIFORNIA, personally appeared **MICHAEL J. HENDRICKSEN** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name 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

Attorney's Docket No. 17075-027001 / 0131

**ASSIGNMENT**

I, **MICHAEL BARRETT**, a citizen of the United States of America, residing at 677 Kenneth Avenue, Campbell, CA 95008, U.S.A., for good and valuable consideration, have assigned and do hereby assign to **EMPHASYS MEDICAL, INC.**, a corporation organized under the laws of Delaware, having a principal business address of 700 Chesapeake Drive, Redwood City, California, 94063, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 11/282,940 entitled:

**BRONCHIAL FLOW CONTROL DEVICES AND METHODS OF USE**

which was filed on November 18, 2005, (applicant's attorney is authorized to enter application number after execution of this document) and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

**ASSIGNMENT**  
**HENDRICKSEN *et al.***

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I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

DATE: 1/11/06

*Michael Barrett*  
MICHAEL BARRETT

STATE OF CALIFORNIA  
) SS.  
COUNTY OF SAN MATEO

HERBERT L. HAMERSLOUGH, before me, the undersigned, a notary public for the State of CALIFORNIA, personally appeared **MICHAEL BARRETT** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name 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.



*Herbert L. Hamerslough*  
Notary Public