

11-15-2005



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

11-4-05

**1. Name of conveying party(ies)**

Frederick E. Shelton IV and  
Jerome R. Morgan

Additional name(s) of conveying party(ies) attached?  Yes  No

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

Name: Ethicon Endo-Surgery, Inc.

Internal Address: \_\_\_\_\_

Street Address: 4545 Creek Road

City: Cincinnati

State: OH

Country: USA Zip: 45242

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

**3. Nature of conveyance/Execution Date(s):**

Execution Date(s) October 25, 2005 and

Assignment October 25, 2005  Merger

Security Agreement  Change of Name

Joint Research Agreement

Government Interest Assignment

Executive Order 9424, Confirmatory License

Other \_\_\_\_\_

**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)

Additional numbers attached?  Yes  No

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

Name: Philip S. Johnson, Esq.

Internal Address: Johnson & Johnson

Street Address: One Johnson & Johnson Plaza

City: New Brunswick

State: NJ Zip: 08933-7003

Phone Number: \_\_\_\_\_

Fax Number: 732-524-2808

Email Address: \_\_\_\_\_

**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 Information**

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number 11-1110

Authorized User Name Michael D. Lazzara

**9. Signature:**

Michael D. Lazzara  
Signature

11/4/05  
Date

Michael D. Lazzara

Name of Person Signing

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

3

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

11/09/2005 FFANAI2 00000071 11267383

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40.00 DP

ASSIGNMENT

Serial No.  
Filed

WHEREAS, Frederick E. Shelton IV, a citizen of the United States, residing at 245 East Main Street Hillsboro, State of Ohio, and Jerome R. Morgan, a citizen of the United States, residing at 3275 S. Whitetree Circle, Cincinnati, State of Ohio, respectively (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to:

SURGICAL STAPLING INSTRUMENTS STRUCTURED FOR PUMP-ASSISTED DELIVERY OF MEDICAL AGENTS

for which they have on the 25 day of October, 2005 executed an application for Letters Patent of the United States; and

WHEREAS, Ethicon Endo-Surgery, Inc., a corporation of the State of Ohio, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any

interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignors have hereunto set their hands and seals this 25<sup>th</sup> day of October, 2005.

Frederick E. Shelton IV (L.S.)  
Frederick E. Shelton IV

Jerome R. Morgan (L.S.)  
Jerome R. Morgan

STATE OF OHIO )  
 )ss.  
COUNTY OF Hamilton )

BE IT REMEMBERED, that on this 25 day of October, 2005, before me, a Notary Public, personally appeared who I am satisfied are the persons named in and who executed the foregoing instrument in my presence, and I having first made known to them the contents thereof, they did acknowledge that they signed, sealed, and delivered the same as their voluntary act and deed for the uses and purposes therein expressed.



**LINDA F. HANSEN**  
Notary Public, State of Ohio  
My Commission Expires  
July 11, 2008

Linda F. Hansen  
Notary Public