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11-22-2005

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

REC



Atty. Docket No.: 2862

103123763

To the Director of the U.S. Patent and Trademark Office: Please see

ments or the new address(es) below.

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

Frank J. Viola

Execution Date(s) 8/9/04

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: Connecticut

Country: USA 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)  
B. Patent No.(s)

To Be Assigned

04/04/2005 MKAYPAGH 00000019 210550 10529568

04 FC:8021 (40.00 DA)

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: 203-845-1059

Fax Number: 203-845-4266

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 21-0550

Authorized User Name Mark Farber

**9. Signature:**

Mark Farber  
Signature

March 24, 2005  
Date

Mark Farber

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 (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

**ASSIGNMENT OF INVENTION**

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

**ASSIGNOR:**

Frank J. Viola

(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 GROUP LP  
 150 Glover Avenue  
 Norwalk, CT 06856  
 USA

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest, including 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:

**TOOL ASSEMBLY FOR SURGICAL STAPLING DEVICE**

which is described in

- (a) ☒ U.S. patent application executed on even date herewith
- (b) ☐ U.S. patent application executed on \_\_\_\_\_
- (c) ☐ U.S. application serial no. \_\_\_\_\_ filed on \_\_\_\_\_.
- (d) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_  
 (also check (e) if foreign application(s) is also being assigned)
- (e) ☒ International Application No. PCT/US2003/031653 on October 6, 2003.
- (e) ☒ and any legal equivalent thereof in a foreign country, and, in and to, all United States and foreign Letters Patent, for the full term thereof, to be obtained for said invention by the above application or any provisional, continuation, division, renewal, extension or substitute thereof, and as to letters patent any re-issue or re-examination thereof;

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

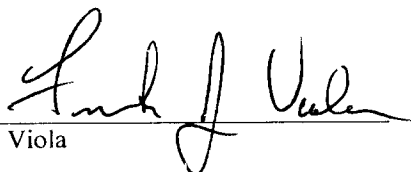
ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all such Letters Patent to ASSIGNEE:

ASSIGNOR further covenants to promptly provide all pertinent facts and documents known and accessible to ASSIGNOR 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 provisional applications, continuations, 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.

ASSIGNOR 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, I have hereunto set hand and seal.

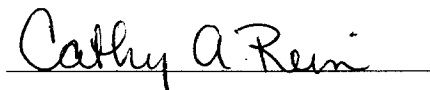
INVENTORS:

  
Frank J. Viola

Dated: 8/9/04

State of Connecticut )  
County of New Haven ) ss North Haver

Before me this 9<sup>th</sup> day of August 2004,  
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.

  
Notary Public

AFFIX SEAL

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