

FORM PTO 1585

01-11-2006



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COVER SHEET

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ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

David M. RAPOPORT and Robert G. NORMAN

Additional name(s) of conveying parties attached? ☐ Yes x No

2. Name and address of receiving party(ies)

Name: NEW YORK UNIVERSITY

Street Address:

70 WASHINGTON SQUARE SOUTH
NEW YORK, NY 10012

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

Execution dates: 12/30/2005 and 12/30/2005

4. Application numbers or patent numbers:

A. Patent Applications: 11/240,197 filed on September 30, 2005

B. Patent No.(s)

Additional Numbers attached? ☐ Yes ☒ No

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

Name: Oleg F. Kaplun, Esq.
Internal Address: Fay Kaplun & Marcin, LLPStreet Address: 150 Broadway, Suite 702
City: New York State: New York ZIP: 10038

6. Total number of applications and patents involved: 1

TITLE: SYSTEM AND METHOD FOR DIAGNOSIS AND
TREATMENT OF A BREATHING PATTERN OF A PATIENT

7. Total fee (37 C.F.R. 3.41) \$ 40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

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9. Statement and signature.

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.

Michael J. Marcin. (Reg No. 48,198)

Name of Person Signing

Signature

January 3, 2006

Date

Total Number of pages including cover sheet, attachments, and document: 5

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Mail Stop: Assignments
 Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

[50124/01303]

ASSIGNMENT**WHEREAS, I/We,**

David M. RAPOPORT
214 west 17th Street
New York, NY 10011
Citizenship: United States of America

Robert G. NORMAN
618 Shore Drive
New Windsor, NY 12553
Citizenship: United States of America

(hereinafter also referred to as "ASSIGNOR"); have invented new and useful inventions and discoveries in **"System and Method for Diagnosis and Treatment of a Breathing Pattern of a Patient"** for which the U.S. Patent Application was filed on **September 30, 2005** and assigned Serial No. **11/240,197** which is a continuation-in-part of U.S. Application Serial No. **11/210,568** filed **August 23, 2005**, which is a continuation of U.S. Application Serial No. **10/642,459** filed **August 14, 2003**;

WHEREAS, NEW YORK UNIVERSITY, organized and existing under and by virtue of the laws of the State of New York, having an office at 70 Washington Square South, New York, NY 10012, (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the application and invention therein described and claimed and any Letters Patent that may be issued upon the application or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

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2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.
3. Authorize and request the Commissioner for Patents of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.
5. Bind our heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

[50124/01303]

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 30 day
of DECEMBER 2005.


David M. RAPOPORT

[50124/01303]

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 30 day
of December, 2005.


Robert G. NORMAN

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