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Form PTO-1595 (Rev. 07/05)
OMB No. 0651-0027 (exp. 6/30/2008)

02-16-2006

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



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103179778

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)

Stephen B. Carter
Kenneth A. Gross
Darrin I Schmuckle
Robson L. Splane, Jr.

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

2. Name and address of receiving party(ies)

Name: Earl Downey

Internal Address: _____

241 N. Vine Street #906-E

Street Address: _____

City: Salt Lake City

State: Utah

Country: USA Zip: 84113

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

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

Execution Date(s) 1/3/06; 1/11/06; 1/5/06; 1/11/06

- Assignment 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)
11/259,936

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Christopher L. Johnson

Internal Address: Thorpe North & Western, LLP

Street Address: 8180 South 700 East, Suite 200

City: Sandy

State: UT Zip: 84070-0562

Phone Number: (801) 566-6633

Fax Number: (801) 566-0750

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 _____

Authorized User Name _____

9. Signature:

Signature

February 8, 2006

Date

Christopher L. Johnson
Name of Person Signing

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

9

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

02/14/2006 DEMMANU1 00000055 11259936

07 FC:0021

40.00 OP

PATENT
REEL: 017556 FRAME: 0984

ASSIGNMENT

WHEREAS, we, Stephen B. Carter resident of Poway, CA, whose postal mailing address is 14153 Melodie Lane, Poway, CA 92064, Kenneth A. Gross resident of Northridge, CA, whose postal mailing address is 10827 Baird Ave., Northridge, CA 91326, Darrin I. Schmuckle resident of San Marcos, CA, whose postal mailing address is 338 Comstock, San Marcos, CA 92069, and Robson L. Splane, Jr. resident of Valley Center, CA, whose postal mailing address is 30634 Persimmon Lane, Valley Center, CA 92082 (hereinafter "Assignors") have invented a certain new and useful improvement in a LAPAROSCOPIC SURGICAL INSTRUMENT for which an application for United States Letters Patent was filed on October 26, 2005 as THORPE NORTH & WESTERN L.L.P. Docket No. 24265, and given U.S. Patent Application Serial No.

_____ ; and

WHEREAS, Earl Downey, having a residential address of 241 N. Vine St., #906-E, Salt Lake City, Utah 84113 (hereinafter "Assignee"), is desirous of acquiring the entire right, title, and interest in the same;

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration paid to us by the Assignee, the receipt and sufficiency whereof is hereby acknowledged, we the said Assignors, hereby grant and assign unto the said Assignee, our entire right, title and interest in said invention and in all patent applications based thereon, including but not limited to the above identified United States Patent Application and in all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries; the right, power and authority to file and prosecute U.S. and foreign patent applications on said


invention, and to do so in its own name wherever such right may be legally exercised, and including the right to claim the priority and benefits of the International Convention for such applications; and the right to bring actions for infringement of any right in said invention in its own name, including past infringement, in any jurisdiction.

We hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all Letters Patent on said invention to the said Assignee as the owner of our entire interest, for the sole use and behoof of the said Assignee, its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

We hereby agree, without further consideration and without expense to us, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of us to make this Assignment fully effective, including, by way of example but not of limitation, the following: prompt execution of all original, divisional, substitution, reissue, and other United States and foreign patent applications on said invention, and all lawful documents as requested by the Assignee to further the prosecution of any of such patent applications; cooperation to the best of our ability including, but not limited to, the execution of all lawful documents, the production of evidence in any actions or proceedings concerning the invention, including, but not limited to, nullification, reissuing, extension, and infringement proceedings involving said invention.

This assignment and agreement shall be binding upon our heirs and legal representatives.

Executed this 3 day of JANUARY, ~~2005~~²⁰⁰⁶ at SAN DIEGO CA.



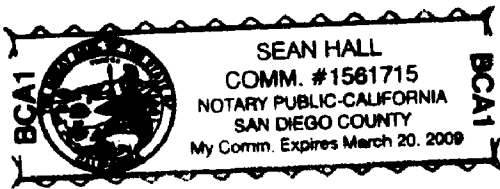
Stephen B. Carter

STATE OF CA)

: ss

County of San Diego)

Before me personally appeared Stephen B. Carter and acknowledged the foregoing instrument to be his free act and deed this 3 day of JAN, ~~2005~~²⁰⁰⁶.





Notary Public

Executed this 11 day of JANUARY, ²⁰⁰⁶ ~~2005~~ at VALLEY CENTER, CA.


Kenneth A. Gross

STATE OF _____)

: ss

County of _____)

Before me personally appeared Kenneth A. Gross and acknowledged the foregoing instrument to be his free act and deed this _____ day of _____, 2005.

Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

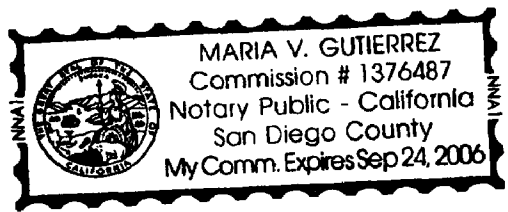
State of California }
County of San Diego } ss.

On 1-11-2006 before me, Maria V. Gutierrez
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Kenneth A. Gross
Name(s) of Signer(s)

personally known to me
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/her/their authorized capacity(~~ies~~), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Maria V. Gutierrez
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Assignment

Document Date: 1-11-2006 Number of Pages: 3

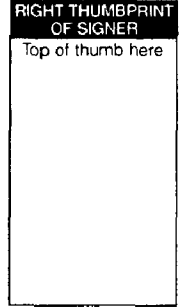
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



Executed this 5 day of January, ²⁰⁰⁶2005 at San Marcos.

Darrin I. Schmuckle
Darrin I. Schmuckle

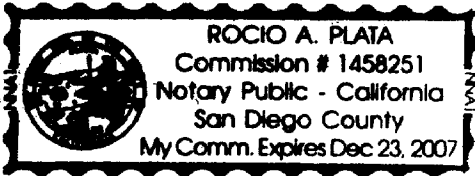
STATE OF CA)

: ss

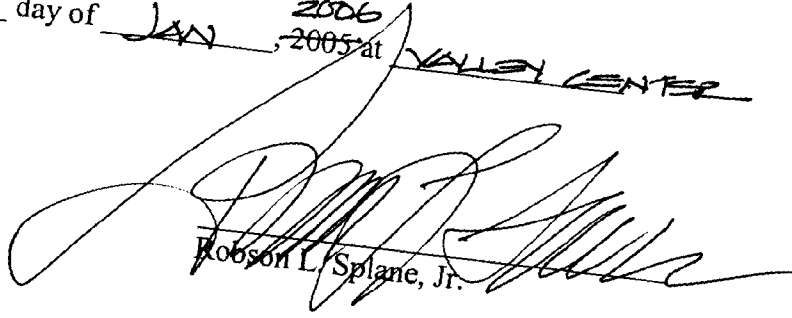
County of SD)

Before me personally appeared Darrin I. Schmuckle and acknowledged the foregoing instrument to be his free act and deed this 5 day of January, ²⁰⁰⁶2005.

Rocio A. Plata
Notary Public



Executed this 11 day of JAN, ²⁰⁰⁶~~2005~~ at VALLEY CENTER


Robson L. Splane, Jr.

STATE OF _____)

County of _____) : ss

Before me personally appeared Robson L. Splane, Jr. and acknowledged the foregoing instrument to be his free act and deed this _____ day of _____, 2005.

Notary Public

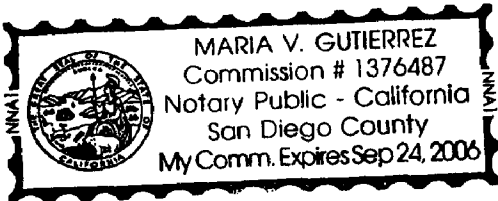
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of San Diego } ss.

On 1-11-2006 before me, Maria V. Gutierrez
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Robson K. Splaine Jr.
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person~~s~~ whose name~~s~~ ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity~~(ies)~~, and that by ~~his~~ ~~her~~ ~~their~~ signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

WITNESS my hand and official seal.

Maria V. Gutierrez
Signature of Notary Public

OPTIONAL

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- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

