

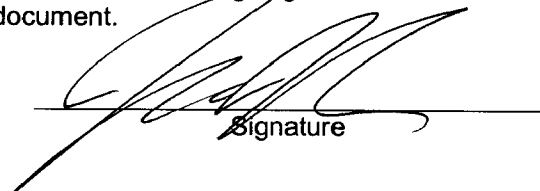


To the Director, U.S. Patent and Trademark

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ial documents or copy thereof.

6-15-06

<p>1. Name of conveying party(ies): (List using letters or numbers for multiple parties)</p> <p>(1) Ammar Al-Ali; (2) Joe E. Kiani (3) Mohamed Diab; (4) Greg Olsen; (5) Roger Wu; (6) Rick Fishel</p> <p>Additional name(s) of conveying party(ies) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: MASIMO LABORATORIES, INC.</p> <p>Internal Address:</p> <p>Street Address: 40 Parker</p> <p>City: Irvine State: CA</p> <p>ZIP: 92618</p> <p>Additional name(s) of receiving party(ies) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement</p> <p><input type="checkbox"/> Merger <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other:</p> <p>Execution Date: (List as in section 1 if multiple signatures)</p> <p>(1) May 22, 2006; (2) May 22, 2006; (3) May 22, 2006; (4) May 22, 2006; (5) May 22, 2006; (6) May 22, 2006;</p>	<p>4. US or PCT Application number(s) or US Patent number(s):</p> <p><input checked="" type="checkbox"/> Patent Application No.: 11/367,033</p> <p>Filing Date: March 1, 2006</p> <p>Additional numbers attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>5. Party to whom correspondence concerning document should be mailed:</p> <p>Customer No. 20,995</p> <p>Address: Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14th Floor Irvine, CA 92614</p> <p>Return Fax: (949) 760-9502</p> <p>Attorney's Docket No.: MLR.012A</p>	<p>6. Total number of applications and patents involved: 1</p>
<p>7. Total fee (37 CFR 1.21(h)): \$40</p> <p><input checked="" type="checkbox"/> Enclosed</p>	<p>8. Deposit account number: 11-14-10</p> <p>Please charge this account for any additional fees which may be required, or credit any overpayment to this account.</p>
<p>9. Statement and signature.</p> <p>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.</p> <p><u>Jarom D. Kesler</u> Name of Person Signing</p> <p>57,046 Registration No.</p> <p> Signature</p> <p>6/12/06 Date</p> <p>Total number of pages including cover sheet, attachments and document: 5</p>	

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Documents transmitted via Mail to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services
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ASSIGNMENT

WHEREAS, We, Ammar Al-Ali, a United States citizen, residing at 10880 Phillips Street, Tustin, CA 92782; Joe E. Kiani, a United States citizen, residing at 35 Brindisi, Laguna Niguel, CA 92667; Mohamed Diab, a United States citizen, 25075 White Spring, Mission Viejo, CA 92692; Greg Olsen, a United States citizen, residing at 96 Smokestone, Irvine, CA 92614; Roger Wu, a United States citizen, residing at 34 Duet, Irvine, CA 92603 and Rick Fishel, a United States citizen, residing at 6315 Cedarbrooks Road, Orange, CA 92867, have invented certain new and useful improvements in a NONINVASIVE MULTI-PARAMETER PATIENT MONITOR for which we have filed an application for Letters Patent in the United States, Application No. 11/367,033, Filed on March 1, 2006;

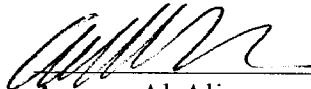
AND WHEREAS, MASIMO LABORATORIES, INC. (hereinafter "ASSIGNEE"), a Corporation, with its principal place of business at 40 Parker, Irvine, CA 92618, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of May, 2006

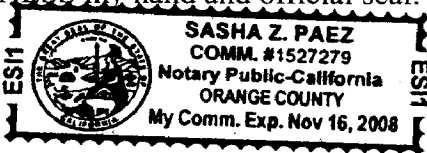

Ammar Al-Ali

STATE OF Ca.
COUNTY OF Orange } ss.

On 5/22/06, before me, Sasha z. Paez, personally appeared Ammar Al-Ali personally known to me (or 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 executed the same in his authorized capacity(ies), and that by his 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.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of May, 2006

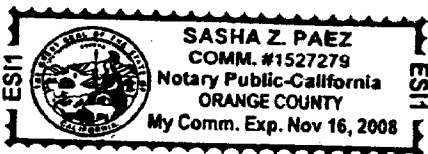

Joe E. Kiani

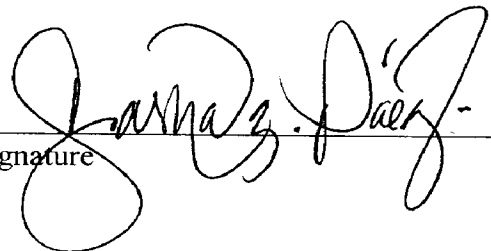
STATE OF Ca.
COUNTY OF Orange } ss.

On 5/22/06, before me, Sasha z. Paez, personally appeared Joe E. Kiani personally known to me (or 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 executed the same in his authorized capacity(ies), and that by his 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.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of May, 2006

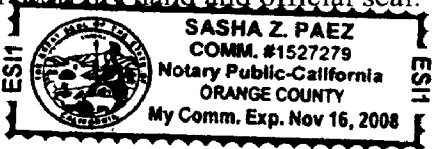
Mohamed Diab
Mohamed Diab

STATE OF Ca
COUNTY OF Orange } ss.

On 5/22/06, before me, Sasha Z. Paez, personally appeared Mohamed Diab personally known to me (or 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 executed the same in his authorized capacity(ies), and that by his 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.

[SEAL]



Sasha Z. Paez
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of May, 2006

Greg Olsen
Greg Olsen

STATE OF Ca.
COUNTY OF Orange } ss.

On 5/22/06, before me, Sasha Z. Paez, personally appeared Greg Olsen personally known to me (or 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 executed the same in his authorized capacity(ies), and that by his 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.

[SEAL]



Sasha Z. Paez
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of May, 2006

[Signature]
Roger Wu

STATE OF Ca }
COUNTY OF Orange } ss.

On 5/22/06, before me, Sasha Z. Paez, personally appeared Roger Wu personally known to me (or 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 executed the same in his authorized capacity(ies), and that by his 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.

[SEAL]



[Signature]
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of May, 2006

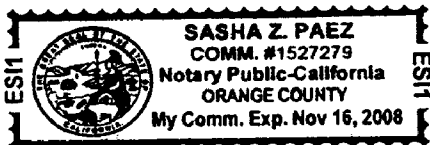
[Signature]
Rick Fishel

STATE OF CA }
COUNTY OF Orange } ss.

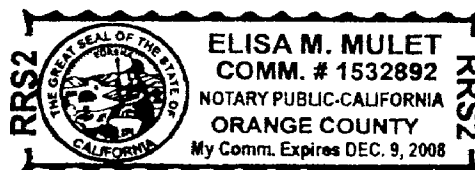
On 6/7/06, before me, Elisa M. Mulet, personally appeared Rick Fishel personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(~~ies~~), and that by his 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.

[SEAL]



[Signature]
Notary Signature



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