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1. Name of conveying party(ies):

Takuji SUZUKI
Atsushi SUGAHARA

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

3. Nature of Conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other

Execution Date: August 3, 2006

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

Name: KABUSHIKI KAISHA TOSHIBA
Address: 1-1, Shibaura 1-chome, Minato-ku, Tokyo
105-8001 Japan

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

4. Application number(s) or patent number(s):

This document is being filed together with a new application

A. Patent Application No.(s)

11/480,464

B. Patent No.(s)

Additional numbers attached? Yes No

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

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22850

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6. Total applications and patents involved: 1

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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.

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Name of Person Signing

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Signature

AUG 09 2006
Date

Registration Number: 28,870

Joseph Scafetta, Jr.
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Total number of pages including this cover sheet: 3

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Mail documents to be recorded with required cover sheet information to:

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Assignment of Application

WHEREAS, I (WE) Takuji SUZUKI and Atsushi SUGAHARA of
c/o Intellectual Property Division, Toshiba Corporation,
1-1, Shibaura 1-chome, Minato-ku, Tokyo 105-8001 Japan

INSERT NAMES
AND RESIDENCE
ADDRESSES OF
THE INVENTORS:

_____, respectively,

INSERT TITLE
OF INVENTION:

have invented certain new and useful improvements in: APPARATUS, METHOD AND COMPUTER PROGRAM
PRODUCT FOR DETERMINING RESPIRATORY CONDITION

INSERT DATE IN-
VENTORS SIGNED
DECLARATION:

for which an application for Letters Patent was executed on _____
(Application No. 11/480,464, filed July 5, 2006), and

INSERT NAME
AND ADDRESS OF
COMPANY OR
OTHER ASSIGNEE

WHEREAS, Kabushiki Kaisha Toshiba
(hereinafter referred to as "ASSIGNEE") having a place of business at: 1-1, Shibaura 1-chome, Minato-ku,
TOKYO 105-8001 JAPAN

is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, 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 me (us) had this Assignment and sale not been made.

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Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of 1940 Duke Street Alexandria, Virginia 22314 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: August 3, 2006

Takuji Suzuki
(Signature of Inventor) Takuji SUZUKI

Date: August 3, 2006

Atsushi Sugahara
(Signature of Inventor) Atsushi SUGAHARA

Date: _____

(Signature of Inventor)

Date: _____

(Signature of Inventor)

Date: _____

(Signature of Inventor)

Date: _____

(Signature of Inventor)

Date: _____

(Signature of Inventor)

Date: _____

(Signature of Inventor)

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
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1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314

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