

PATENT ASSIGNMENT

Electronic Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
CONVEYING PARTY DATA											
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Frederick E. Shelton IV</td><td>09/06/2006</td></tr><tr><td>Jerome R. Morgan</td><td>09/06/2006</td></tr><tr><td>Eugene L. Timperman</td><td>09/07/2006</td></tr><tr><td>Leslie M. Fugikawa</td><td>09/07/2006</td></tr></tbody></table>	Name	Execution Date	Frederick E. Shelton IV	09/06/2006	Jerome R. Morgan	09/06/2006	Eugene L. Timperman	09/07/2006	Leslie M. Fugikawa	09/07/2006	
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Leslie M. Fugikawa	09/07/2006										
RECEIVING PARTY DATA											
Name:	Ethicon Endo-Surgery, Inc.										
Street Address:	4545 Creek Road										
City:	Cincinnati										
State/Country:	OHIO										
Postal Code:	45242										
PROPERTY NUMBERS Total: 1											
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>11497898</td></tr></tbody></table>	Property Type	Number	Application Number:	11497898							
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Application Number:	11497898										
CORRESPONDENCE DATA											
Fax Number:	(412)355-6501										
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
Phone:	412 355-8303										
Email:	patents@kng.com										
Correspondent Name:	Thomas J. Edgington										
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Address Line 2:	Henry W. Oliver Building										
Address Line 4:	Pittsburgh, PENNSYLVANIA 15222-2312										
ATTORNEY DOCKET NUMBER:	060323/END5913USNP										
NAME OF SUBMITTER:	Thomas J. Edgington										

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PATENT  
REEL: 018285 FRAME: 0122

**Total Attachments: 3**

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**PATENT**

**REEL: 018285 FRAME: 0123**

## ASSIGNMENT

Serial No. 11/497,898Filed: August 2, 2006

WHEREAS, Frederick E. Shelton, IV citizen of the United States, residing at P.O. Box: 373, New Vienna, Ohio 45159; Jerome R. Morgan, citizen of United States, residing at 3275 S. Whitetree Circle, Cincinnati, Ohio 45236, Eugene L. Timperman, citizen of United States, residing at 10639 Silverbrook Drive, Cincinnati, Ohio 45240 and Leslie M. Fugikawa, citizen of United States, residing at 1000 Ligorio Avenue, Cincinnati, Ohio 45218 (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to:

PNEUMATICALLY POWERED SURGICAL CUTTING AND FASTENING INSTRUMENT  
WITH A VARIABLE CONTROL OF THE ACTUATING RATE OF FIRING WITH  
MECHANICAL POWER ASSIST

for which they have this day executed an application for Letters Patent of the United States; and

WHEREAS, Ethicon Endo-Surgery, Inc., a corporation formed under the laws of the State of Ohio, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 6<sup>th</sup> day of September, 2006.

Frederick E. Shelton, IV (L.S.)  
Frederick E. Shelton, IV

STATE OF Ohio )  
COUNTY OF Hamilton ) ss.

BE IT REMEMBERED, That on this 6<sup>th</sup> day of September, 2006, before me, a Notary Public, personally appeared Frederick E. Shelton, IV, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.



KIMBERLY MELLISSA MOSES  
Notary Public, State of Ohio  
My Commission Expires  
September 23, 2011

Kimberly Melissa Moses  
Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 6<sup>TH</sup> day of SEPTEMBER, 2006.

Jerome R. Morgan (L.S.)  
Jerome R. Morgan

STATE OF Ohio )  
COUNTY OF HAMILTON ) ss.

BE IT REMEMBERED, That on this 6<sup>TH</sup> day of SEPTEMBER, 2006, before me, a Notary Public, personally appeared Jerome R. Morgan, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.



KIMBERLY MELLISSA MOSES  
Notary Public, State of Ohio  
My Commission Expires  
September 23, 2011

Kimberly Melissa Moses  
Notary Public

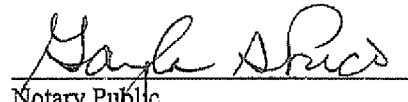
IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 7 day of Sept., 2006.

  
Eugene L. Timperman (L.S.)

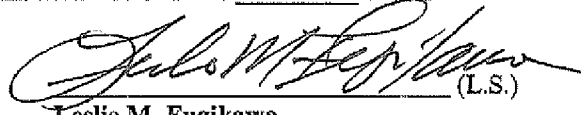
STATE OF Ohio )  
COUNTY OF Hamilton ) ss.

BE IT REMEMBERED, That on this 7 day of Sept, 2006, before me, a Notary Public, personally appeared Eugene L. Timperman, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

GAYLA S. PRICE  
Notary Public, State of Ohio  
My Commission Expires August 16, 2011

  
Notary Public

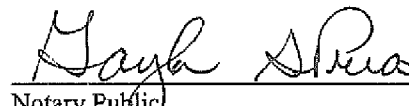
IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 7 day of Sept., 2006.

  
Leslie M. Fugikawa (L.S.)

STATE OF Ohio )  
COUNTY OF Hamilton ) ss.

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_, 2006, before me, a Notary Public, personally appeared Leslie M. Fugikawa, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

GAYLA S. PRICE  
Notary Public, State of Ohio  
My Commission Expires August 16, 2011

  
Notary Public