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10-04-2006

U.S. DEPARTMENT OF COMMERCE
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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)

Michael Vardanega

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

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

Execution Date(s) 09/22/2006

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other

2. Name and address of receiving party(ies)

Name: Nellcor Puritan Bennett Incorporated

Internal Address:

Street Address: 4280 Hacienda Drive

City: Pleasanton

State: California

Country: USA Zip: 94588

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

4. Application or patent number(s):

☒ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Michael G. Fletcher

Internal Address: Fletcher Yoder

P.O. Box 692289, Houston, Texas 77269-2289

Street Address: 7915 FM 1960 West, Suite 330

City:

State: Texas Zip: 77070

Phone Number: 281-970-4545

Fax Number: 281-970-4503

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 5002
Expiration Date 10/2008

b. Deposit Account Number 03-1615

Authorized User Name

9. Signature:

John M. Rariden

Signature

September 27, 2006

Date

John M. Rariden

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: 2

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

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PATENT
REEL: 018356 FRAME: 0546

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to **Nelcor Puritan Bennett Incorporated** (the "Assignee"), a corporation of the State of Delaware, having a place of business at **4280 Hacienda Drive, Pleasanton, California 94588**, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith and is entitled "**USE OF CONVECTIVE AIR WARMING SYSTEM FOR PATIENT CARE**" such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will (1) execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; (2) execute all rightful oaths, declarations, assignments, powers of attorney and other papers; (3) communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; (4) cooperate with the Assignee in any interference, opposition, dispute, or litigation involving any of the applications or patents for such improvements; and (5) generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

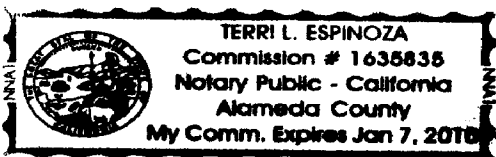
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature): *Michael Vardanega*
Name: **Michael Vardanega**

Date: *9/22/06*

STATE OF *California* §
§ ss.
COUNTY OF *Alameda* §

BEFORE ME, the undersigned authority, on this *22nd* day of *September*, 2006, personally appeared **Michael Vardanega** known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Terri L. Espinoza
Notary or Consular Officer

Sole, Concurrent with Application