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| 103315426 <u>Y</u> | | | | |
| 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) | 2. Name and address of receiving party(ies) | | | |
| | Name: Nellcor Puritan Bennett Incorporated | | | |
| Robert W. Flagler, Carl Kling, Michael H. Vardanega | Internal Address: | | | |
| Additional name(s) of conveying party(ies) attached? | <u> </u> | | | |
| 3. Nature of conveyance/Execution Date(s): | Street Address: 4280 Hacienda Drive 50 | | | |
| Execution Date(s) 09/25/2006, 09/25/2006, 09/25/2006 | U.S. | | | |
| Assignment Merger | City: Pleasanton | | | |
| Security Agreement Change of Name | | | | |
| Joint Research Agreement | State: California | | | |
| Government Interest Assignment | Country: USA Zip: 94588 | | | |
| Executive Order 9424, Confirmatory License | Country | | | |
| Other | Additional name(s) & address(es) attached? Yes No | | | |
| 4. Application or patent number(s): A. Patent Application No.(s) Additional numbers att | document is being filed together with a new application. B. Patent No.(s) ached? Yes No | | | |
| 5. Name and address to whom correspondence concerning document should be mailed: | 6. Total number of applications and patents involved: 1 | | | |
| Name: Michael G. Fletcher | | | | |
| Internal Address: Fletcher Yoder | 7. Total fee (37 CFR 1.21(h) & 3.41) \$_40.00 ✓ Authorized to be charged by credit card | | | |
| P.O. Box 692289, Houston, Texas 77269-2289 | Authorized to be charged by credit card Authorized to be charged to deposit account | | | |
| Street Address: 7915 FM 1960 West, Suite 330 | Enclosed | | | |
| Sliegt Address. | None required (government interest not affecting title) | | | |
| City: | 8. Payment Information | | | |
| State: Texas Zip: 77070 | a. Credit Card Last 4 Numbers 5002 | | | |
| Phone Number: 281-970-4545 | Expiration Date <u>10/2008</u> | | | |
| Fax Number: 281-970-4503 | b. Deposit Account Number | | | |
| Email Address: | Authorized User Name | | | |
| 9. Signature: Signature | September 26, 2006 | | | |
| Signature | Date | | | |

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
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Jila Bakker

Name of Person Signing

PATENT REEL: 018405 FRAME: 0352

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

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 Nellcor 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 "TRACHEOSTOMY TUBE AND TECHNIQUE FOR USING THE SAME" 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): Robert W. Flagler Date: 555 250

STATE OF CALIFORNIA § SS COUNTY OF ACAMEDA §

TERRI L. ESPINOZA
Commission # 1635835
Notary Public - California &
Alarmeda County
My Comm. Expires Jan 7, 2016

Notary or Consular Officer

[SEAL]

| (Signature): Name: Carl Kling | Date: Sept. 25, 2006 |
|--|--|
| STATE OF <u>California</u> § S SS. COUNTY OF <u>Hameda</u> § SS. | |
| BEFORE ME, the undersigned authority, on this | the foregoing instrument and acknowledged to |
| TERRI L. ESPINOZA Commission # 1635835 Notary Public - California Alarneda County My Comm. Expires Jan 7, 2016 | Notary or Consular Officer |
| | |
| (Signature): Whatel H. Wardanega | Date: 9/25/06 |
| STATE OF California § Solution Significant Significan | |
| BEFORE ME, the undersigned authority, on this | e subscribed to the foregoing instrument and |
| TERRI L. ESPINOZA | 060 |

[SEAL]

RECORDED: 09/26/2006