

12-13-2006



ET

H-US-00546 (1544-16)

103348703

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

12-11-06

**1. Name of conveying party(ies)**

- 1. Mani N. Prakash
- 2. Tao Nguyen

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

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

Name: Vivant Medical, Inc.

Internal Address: \_\_\_\_\_

Street Address: 1916-A Old Middlefield Way

City: Mountain View

State: California

Country: U.S.A. Zip: 94043

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

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

Execution Date(s) 1. 9/25/06 2. 9/22/06

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

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

A. Patent Application No.(s)

11/529,823 filed September 29, 2006

This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Mark Farber, Esq.

Internal Address: U.S. Surgical,  
A Division of Tyco Healthcare Group, LP

Street Address: 195 McDermott Road

City: North Haven

State: CT Zip: 06473

Phone Number: 303-581-6831

Fax Number: 303-581-6632

Email Address: \_\_\_\_\_

**6. Total number of applications and patents involved: one**

**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 \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number 21-0550

Authorized User Name Thomas A. Beaton

**9. Signature:**

Signature

12/6/06

Date

Thomas A. Beaton, Reg. No. 46,543

Name of Person Signing

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

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

PATENT

REEL: 018656 FRAME: 0071

OFFICE OF PRODUCTION RECORDS  
FINANCE SECTION  
DEC 11 11 36 AM '06  
11529833  
00004  
210550  
40.00  
12/12/06  
01 FC: APT

For:  U.S. and/or  Foreign Rights  
For:  U.S. Application or  U.S. Patent  
By :  Inventor(s) or  Present Owner

**ASSIGNMENT OF INVENTION**

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNORS:**

**Mani N. Prakash  
Emilie Johnson  
Tao Nguyen  
Brian Shiu**

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on: \_\_\_\_\_  
Reel \_\_\_\_\_  
Frame \_\_\_\_\_

hereby sells, assigns and transfers to

**ASSIGNEE:**

Vivant Medical, Inc.  
(Type or print name of ASSIGNEE)  
Address  
1916-A Old Middlefield Way  
Mountain View, CA 94043  
U.S.A.  
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

the entire right, title and interest

an undivided \_\_\_\_\_ percent ( \_\_\_\_\_ %) interest for the United States and its territorial possessions

and in all foreign countries, including all rights to claim priority, the right to sue for present, past and future infringement, in the United States, its territorial possessions, and in all foreign countries, including all treaty and convention rights in and to the invention and any and all improvements entitled:

**MICROWAVE ANTENNA ASSEMBLY AND METHOD OF USING THE SAME**

(title of invention)

and which is found in

- (a)  U.S. patent application executed on even date herewith.
- (b)  U.S. patent application executed on \_\_\_\_\_.
- (c)  U.S. application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
- (d)  U.S. provisional application No. \_\_\_\_\_  
filed on \_\_\_\_\_.
- (e)  U.S. Patent No. \_\_\_\_\_ issued \_\_\_\_\_.
- (f)  PCT application No. \_\_\_\_\_  
filed on \_\_\_\_\_.

- A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.
- (g)  and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, continuation-in-part, divisional, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof

ASSIGNORS hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;


ASSIGNORS hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all such Letters Patent to ASSIGNEE:

ASSIGNORS further covenants to promptly provide all pertinent facts and documents known and accessible to ASSIGNORS relating to said invention and said Letters Patent and legal equivalents; to testify as to the same in any interference, litigation or proceeding related thereto; to execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patents which may be granted therefor in said ASSIGNEE, its successors, assigns or other legal representatives; to execute any additional or divisional applications for patents for said invention, or any part or parts thereof, and for the reissue of any Letters Patents to be granted therefor; and to make all rightful oaths and do all lawful acts requisite for procuring the same or for aiding therein, all without further compensation, but at the sole expense of ASSIGNEE, its successors, assigns, or other legal representatives.

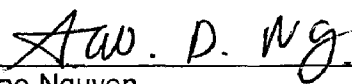
ASSIGNORS hereby grants ASSIGNEE and Assignee's attorneys the power to insert the Serial No. and/or filing date of the above-described application(s) after such information becomes known to them.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal.

**WARNING:** Date of signing must be the **same as** the date of execution of the application if item (a) was checked above.

  
 \_\_\_\_\_  
 Mani Prakash  
 en. apx66

9-25-2006  
 \_\_\_\_\_  
 Dated

Emilie Johnson  
 \_\_\_\_\_  
  
 Tao Nguyen

\_\_\_\_\_  
 Dated  
9/22/06  
 \_\_\_\_\_  
 Dated

\_\_\_\_\_  
 Brian Shiu  
 \_\_\_\_\_

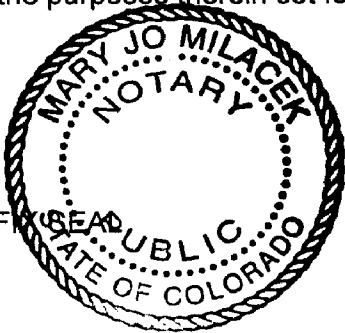
\_\_\_\_\_  
 Dated  
 \_\_\_\_\_

Notarization or Legalization Page Added.

State of Colorado )  
 ) ss  
County of Boulder )

Before me this 25 day of September 2006,

personally appeared **Mani N. Prakash** to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.



My Commission Expires 02/14/2007

Mary Jo Milacek  
Notary Public

State of California )  
 ) ss  
County of \_\_\_\_\_ )

Before me this \_\_\_\_ day of \_\_\_\_\_ 2006,

personally appeared **Emilie Johnson** to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.

\_\_\_\_\_  
Notary Public

AFFIX SEAL

State of California )  
County of Santa Clara ) ss

Before me this 22 day of Sept 2006,

personally appeared **Tao Nguyen** to me <sup>Proved</sup> personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/~~she~~ executed the same of his own free will for the purposes therein set forth.

*Sharon L. Hawkins*

Notary Public



State of California )  
County of \_\_\_\_\_ ) ss

Before me this \_\_\_\_ day of \_\_\_\_\_ 2006,

personally appeared **Brian Shiu** to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.

\_\_\_\_\_  
Notary Public

AFFIX SEAL