

PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT																
NATURE OF CONVEYANCE:	ASSIGNMENT																
CONVEYING PARTY DATA																	
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:70%;">Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>George D. HERMANN</td> <td>11/27/2001</td> </tr> <tr> <td>Jose de la PENA</td> <td>09/18/2001</td> </tr> <tr> <td>Roger de la TORRE</td> <td>09/16/2001</td> </tr> <tr> <td>Thomas HOWELL</td> <td>09/18/2001</td> </tr> <tr> <td>Roger KHOURI</td> <td>09/18/2001</td> </tr> <tr> <td>David WILLIS</td> <td>09/04/2001</td> </tr> <tr> <td>Michael DREWS</td> <td>09/04/2001</td> </tr> </tbody> </table>		Name	Execution Date	George D. HERMANN	11/27/2001	Jose de la PENA	09/18/2001	Roger de la TORRE	09/16/2001	Thomas HOWELL	09/18/2001	Roger KHOURI	09/18/2001	David WILLIS	09/04/2001	Michael DREWS	09/04/2001
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RECEIVING PARTY DATA																	
Name:	Thomas J. Fogarty M.D.																
Street Address:	3270 Alpine Road																
City:	Portola Valley																
State/Country:	CALIFORNIA																
Postal Code:	94028																
PROPERTY NUMBERS Total: 1																	
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Patent Number:</td> <td>6706048</td> </tr> </tbody> </table>		Property Type	Number	Patent Number:	6706048												
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CORRESPONDENCE DATA																	
Fax Number:	(650)284-2180																
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>																	
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Correspondent Name:	LEVINE BAGADE HAN LLP																
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Address Line 2:	SUITE 100																
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ATTORNEY DOCKET NUMBER:	FGRTNA00601																

OP \$40.00 6706048

PATENT

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REEL: 019140 FRAME: 0807

NAME OF SUBMITTER:

Dav

Total Attachments: 4

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**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by GEORGE D. HERMANN, JOSE de la PENA, ROGER de la TORRE, THOMAS HOWELL, ROGER KHOURI, DAVID WILLIS and MICHAEL DREWS (hereinafter referred to as the assignors), residing at 214A Grove Drive, Portola Valley, CA 94028; Acueducto rio hondo #26, Lomas Virreyes, Mexico D.F. 11,000 Mexico; 2312 Longest Drive, Wentzville, MO 63385; 567 Homer Avenue, Palo Alto, CA 94301; 328 Crandon Blvd., #227, Key Biscayne, FL 33149, 850 College Avenue, Palo Alto, CA 94306 and 4524 U Street, Sacramento, CA 95817, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in METHOD AND DEVICE FOR USE IN MINIMALLY INVASIVE APPROXIMATION OF MUSCLE AND OTHER TISSUE, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/738,818 and filed on December 15, 2000; and

WHEREAS, Thomas J. Fogarty, M.D., an individual and having his principal place of business at 3270 Alpine Road, Portola Valley, CA 94028 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

11/27/01
Date



GEORGE D. HERMANN

Date

9/16/01

JOSE de la PENA



Date

ROGER de la TORRE

Date

THOMAS HOWELL

Date

ROGER KHOURI

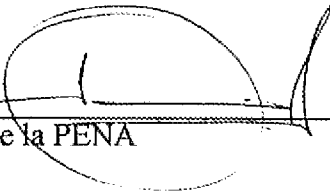
Date

DAVID WILLIS

Date

MICHAEL DREWS

9-18-01
Date



JOSE de la PENA

Date

ROGER de la TORRE

Date

THOMAS HOWELL

9/18/01
Date



ROGER KHOURI

Date

DAVID WILLIS

Date

MICHAEL DREWS

Date

JOSE de la PENA

Date

9/5/1

ROGER de la TORRE



Date

THOMAS HOWELL

Date

9/4/2007

~~ROGER KHONDI~~



Date

9/4/2001

DAVID WILLIS

Date

Michael Drews
MICHAEL DREWS