

## PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Mark James Papania	09/18/2003
RECEIVING PARTY DATA	
Name:	The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services, Centers for Disease Control and Prevention
Street Address:	4770 Buford Hwy (K79)
Internal Address:	Technology Transfer Office
City:	Atlanta
State/Country:	GEORGIA
Postal Code:	30341
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	11796313
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NAME OF SUBMITTER:	Jeffrey B. Haendler
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## ASSIGNMENT

I, Mark James Papania, of 3649 Wentworth Lane, Lilburn, Georgia 30047, a citizen of the United States of America, have invented along with James J. Barry, of 5 Ridge Road, Hanover, NH 03755, a citizen of United States of America, and Nabil A. Elkouh, of 113 Main Street, Meriden, NH, 03770, a citizen of United States of America, and Mark C. Bagley, of RR1, Box 458, Turnpike Road, Grafton, NH 03240, a citizen of United States of America, a certain invention entitled NEBULIZER HAVING COOLING CHAMBER for which the following patent applications have been filed:

U.S. Provisional Patent Application No. 60/276,539, filed on March 15, 2001; and  
PCT Application No. PCT/US02/07973 filed on March 13, 2002;

both of which applications are collectively referred to herein as "the patent applications."

I was employed by the Department of Health and Human Services at the time the invention was made. The conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest in the invention, in the United States and all other countries throughout the world.

In consideration of my obligations under Executive Order 10096, and other valuable consideration, I the undersigned, have sold, assigned, and transferred and do sell, assign, and transfer to The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services, Centers for Disease Control and Prevention (hereinafter THE GOVERNMENT), and successors and assigns, the full and exclusive right, title, and interest in the patent applications and invention throughout the United States of America, its territories and dependencies, and all other countries. This includes an assignment of all Letters Patent that may be granted on the invention in the United States of America and all countries throughout the world, and any divisional, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof; and the right to claim priority from the patent applications as provided for by United States law, the Patent Cooperation Treaty, the European Patent Convention, the Paris Convention, or other applicable law.

I authorize and request the issuance of said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest to be held as fully and entirely as the same would have been held by me had this assignment not been made.

I warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied that will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of the present assignment.

I also agree upon reasonable request to communicate to THE GOVERNMENT, its representatives, assigns or agents, any facts known to me respecting the invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, provide all requested documents, and do everything reasonably possible to aid THE GOVERNMENT and its assigns to obtain and enforce proper patent protection for the invention in the United States or any

foreign country. These provisions are binding upon my heirs, legal representatives, administrators and assigns.

I have authorized THE GOVERNMENT to file and prosecute the patent applications, as well as any corresponding international or national applications that claim priority from them. THE GOVERNMENT has the right to select attorneys or agents of its choice to prosecute at its discretion the patent applications on its behalf.

I grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Assignment any further information that may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 9/18/03

Mark James Papania  
Mark James Papania

STATE OF Georgia )  
COUNTY OF De Kalb ) ss.

This 18th day of September, 2003, before me personally came the above-named Mark James Papania, who executed the foregoing Assignment in my presence, and who acknowledged to me that it was executed under that person's own free will for the purposes set forth therein.

Gayle J Hickman  
Gayle J Hickman  
Notary Public for Cherokee County  
My commission expires: 11/9/04

[SEAL]