

06-18-2007



HEET

H-US-00747

103417130

To the Director of the U.S. Patent and Trademark Office

Send documents or the new address(es) below.

1. Name of conveying party(ies)

1. Francesca Rossetto
2. Mani N. Prakash
3. Brian Shiu

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

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

Execution Date(s) 1. 5/21/07 2. 5/15/07 3. 5/4/07

- ☒ 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: Vivant Medical, Inc.

Internal Address: _____

Street Address: 5920 Longbow Drive

City: Boulder

State: Colorado

Country: U.S.A. Zip: 80301-3299

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)

11/805,052 filed on May 22, 2007

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

6/13/07
Date

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

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: 4

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: 019446 FRAME: 0765

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:

Francesca Rossetto
Mani N. Prakash
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
5920 Longbow Drive
Boulder, CO 80301-3299
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:

ENERGY DELIVERY CONDUITS FOR USE WITH ELECTROSURGICAL DEVICES

(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. 11/805,052 filed on May 22, 2007.
- (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) [X] 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.

Francesca Rossetto
Francesca Rossetto

Mani N. Prakash
Mani N. Prakash

Brian Shiu
Brian Shiu

5/21/07
Dated

5/15/07
Dated

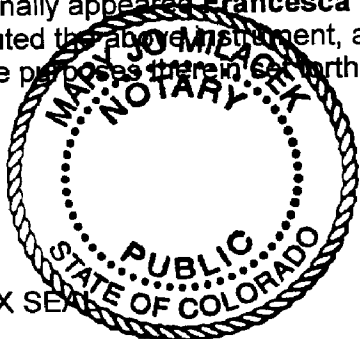
5/4/07
Dated

[X] Notarization or Legalization Page Added.

State of Colorado)
) ss
County of Boulder)

Before me this 21 day of May 2007,

personally appeared **Francesca Rossetto** 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.



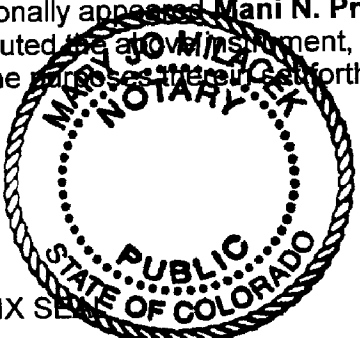
My Commission Expires 02/28/2011

Mary Jo Milarch
Notary Public

State of Colorado)
) ss
County of Boulder)

Before me this 15 day of May 2007,

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 02/28/2011

Mary Jo Milarch
Notary Public

State of California)
) ss
County of Santa Clara)

Before me this 14 day of May 2007,

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.



AFFIX SEAL

Maria Marshall
Notary Public

Atty. Docket No: H-US-00747 (1544-24)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Rossetto, et al.
SERIAL NO. : 11/805,052 **EXAMINER:** Unknown
FILED : May 22, 2007 **GROUP ART UNIT** Unassigned
FOR : Energy Delivery Conduits for Use with Electrosurgical Devices

CERTIFICATE OF MAILING

Date of Deposit: June 13, 2007

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Copy of executed Assignment of Invention
- ☒ Assignment Recordation form
- ☒ Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450.

Mary Jo Milacek
Mary Jo Milacek

United States Surgical, a division of
TYCO HEALTHCARE GROUP LP
195 McDermott Road
North Haven, CT 06473
(303) 530-6138