

**PATENT ASSIGNMENT**

Electronic Version v1.1  
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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT														
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT														
<b>CONVEYING PARTY DATA</b>															
<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>LEWIS GEORGE GRADON</td> <td>03/04/2003</td> </tr> <tr> <td>NICHOLAS CHARLES ALAN SMITH</td> <td>02/21/2003</td> </tr> <tr> <td>ALASTAIR EDWIN McAULEY</td> <td>02/04/2003</td> </tr> <tr> <td>MARK JOSEPH HAYCOCK</td> <td>02/18/2003</td> </tr> <tr> <td>CHRIS EARL NIGHTINGALE</td> <td>02/10/2003</td> </tr> <tr> <td>DANIEL MAHON</td> <td>02/24/2003</td> </tr> </tbody> </table>		Name	Execution Date	LEWIS GEORGE GRADON	03/04/2003	NICHOLAS CHARLES ALAN SMITH	02/21/2003	ALASTAIR EDWIN McAULEY	02/04/2003	MARK JOSEPH HAYCOCK	02/18/2003	CHRIS EARL NIGHTINGALE	02/10/2003	DANIEL MAHON	02/24/2003
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DANIEL MAHON	02/24/2003														
<b>RECEIVING PARTY DATA</b>															
<b>Name:</b>	Fisher & Paykel Healthcare Limited														
<b>Street Address:</b>	15 Maurice Paykel Place, East Tamaki														
<b>City:</b>	Auckland														
<b>State/Country:</b>	NEW ZEALAND														
<b>PROPERTY NUMBERS Total: 1</b>															
<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>Application Number:</td> <td>11928779</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	11928779										
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Application Number:	11928779														
<b>CORRESPONDENCE DATA</b>															
<b>Fax Number:</b>	(312)704-8023														
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>															
<b>Phone:</b>	3127041890														
<b>Email:</b>	ptodocket@trexlaw.com														
<b>Correspondent Name:</b>	Trexler, Bushnell et al.														
<b>Address Line 1:</b>	105 W. Adams Street														
<b>Address Line 2:</b>	Suite 3600														
<b>Address Line 4:</b>	Chicago, ILLINOIS 60603														
<b>ATTORNEY DOCKET NUMBER:</b>	1171/40655D/125D														
<b>NAME OF SUBMITTER:</b>	LINDA L. PALOMAR														

**CH \$40.00 11928779**

Total Attachments: 2

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ASSIGNMENT

WHEREAS, we LEWIS GEORGE GRADON of 22 Brailsford Court, Howick, Auckland, New Zealand; NICHOLAS CHARLES ALAN SMITH of 157 Great South Road, Auckland, New Zealand, ALASTAIR EDWIN McAULEY of 5/27 Lucerne Road, Remuera, Auckland, New Zealand, MARK JOSEPH HAYCOCK of 77 Cranbrook Place, Glendowie, Auckland, New Zealand; NICHOLAS CHARLES ALAN SMITH of P.O. Box 25048, St. Heliers, Auckland, New Zealand and DANIEL MAHON of 17 Buckley Road, Epsom, Auckland, New Zealand, respectively, have invented certain new and useful improvements in BREATHING ASSISTANCE APPARATUS for which we have executed an application for Letters Patent of the United States on the 4 day of March, 2003; and

10, 24, 18 & 21 February 2003

WHEREAS, FISHER & PAYKEL HEALTHCARE LIMITED, a corporation organized and existing under the laws of New Zealand having its principal place of business at 15 Maurice Paykel Place, East Tamaki, Auckland, New Zealand (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to said invention, said application, and in, to and under all Letters Patent of the United States and foreign countries that may be granted therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN. Be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us and each of us in hand paid by said ASSIGNEE, the receipt of which is hereby acknowledged, we, said Lewis George Gradon, Nicholas Charles Alan Smith; Alastair Edwin McAuley, Mark Joseph Haycock, Chris Earl Nightingale and Daniel Mahon have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over to and unto said ASSIGNEE, its successors and assigns, for, within and throughout the United States and the territories thereof, and all foreign countries, the entire right, title and interest in and to said invention, and in, to and under said application, and all Letters Patent of the United States and foreign countries (including all priority rights that we may have or acquire under any International Convention or treaty) that may be granted for said invention and improvements, including divisions, reissues, subdivisions, continuations and prolongations of such applications and Letters Patent, to have and to hold for the sole and exclusive use and benefit of said ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patents for said invention may issue.


We do hereby covenant and agree, for ourselves, our heirs and our legal representatives, that we will assist said ASSIGNEE in the prosecution of the application herein identified; in the making and prosecution of any other applications for Letters Patent that said ASSIGNEE may elect to make covering the invention herein identified, as hereinbefore set forth; in vesting in said ASSIGNEE like exclusive title in and to all such other applications and Letters Patent; and in the prosecution of any interference which may arise involving said invention, or any application or Letters Patent herein contemplated; and that we will execute and deliver to said ASSIGNEE any and all additional papers that may be requested by said ASSIGNEE to fully carry out the terms of this assignment.

We do hereby authorize and request our attorneys, Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd., of 105 West Adams Street, Chicago, Illinois 60603, to insert here in parentheses (Serial No. 10/297,951 filed December 11, 2002) the date and serial number of said application when officially known

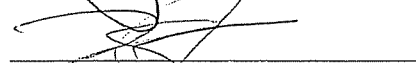
And we do hereby authorize and request the Commissioner of Patents to issue all Letters Patent of the United States that may be granted pursuant to the application aforesaid, or for said invention, to said ASSIGNEE, its successors and assigns, in accordance with this assignment.

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

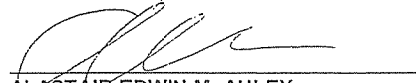
Date: 4/3/03

  
LEWIS GEORGE GRADON

Date: 21/2/03

  
NICHOLAS CHARLES ALAN SMITH

Date: 4/2/03

  
ALASTAIR EDWIN McAULEY

Date: 18/2/03

  
MARK JOSEPH HAYCOCK

Date: 10/2/03

  
\_\_\_\_\_  
CHRIS EARL NIGHTINGALE

Date: 24/2/03

  
\_\_\_\_\_  
DANIEL MAHON