

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT
NATURE OF CONVEYANCE:	Corrective Assignment to correct the patent number from 6,557,196 to 6,227,196 previously recorded on Reel 015271 Frame 0590. Assignor(s) hereby confirms the correct patent number is 6,227,196 which can be found in the attached documents dated 4/20/04 (page 2) and 4/27/04 (item 16)..
CONVEYING PARTY DATA	
Name	Execution Date
Novamatrix Medical Systems, Inc.	04/12/2002
RECEIVING PARTY DATA	
Name:	Respironics Novamatrix, Inc.
Street Address:	5 Technology Drive
City:	Wallingford
State/Country:	CONNECTICUT
Postal Code:	06492
PROPERTY NUMBERS Total: 1	
Property Type	Number
Patent Number:	6227196
CORRESPONDENCE DATA	
Fax Number:	(724)387-5021
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	7243875026
Email:	jennifer.sansonetti@respironics.com
Correspondent Name:	Michael W. Haas
Address Line 1:	1010 Murry Ridge Lane
Address Line 4:	Murrysville, PENNSYLVANIA 15668
ATTORNEY DOCKET NUMBER:	CORRECTIVE ASSIGN.
NAME OF SUBMITTER:	Jennifer L. Sansonetti
Total Attachments: 10 source=Corrective Assignment#page1.tif source=Corrective Assignment#page2.tif	

CH \$40.00 6227196

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PATENT
REEL: 020451 FRAME: 0403

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCTOBER 23, 2004

PTAS



102735974A

RESPIRONICS, INC.
MICHAEL W. HAAS
1010 MURRY RIDGE LANE
MURRYSVILLE, PA 1668

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/30/2004

REEL/FRAME: 015271/0590
NUMBER OF PAGES: 5

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NOVAMETRIX MEDICAL SYSTEMS, INC.

DOC DATE: 04/12/2002

ASSIGNEE:

RESPIRONICS NOVAMETRIX, INC.
5 TECHNOLOGY DRIVE
WALLINGFORD, CONNECTICUT 06492

SERIAL NUMBER: 09841451

FILING DATE: 04/24/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: MULTIPLE FUNCTION AIRWAY ADAPTER

SERIAL NUMBER: 10657577

FILING DATE: 09/08/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: APPARATUS AND METHOD FOR NON-INVASIVELY MEASURING CARDIAC OUTPUT

SERIAL NUMBER: 10657909 FILING DATE: 09/08/2003
PATENT NUMBER: ISSUE DATE:
TITLE: APPARATUS AND METHOD FOR NON-INVASIVELY MEASURING CARDIAC OUTPUT

SERIAL NUMBER: 06603718 FILING DATE: 04/25/1984
PATENT NUMBER: 4541901 ISSUE DATE: 09/17/1985
TITLE: METHOD AND APPARATUS FOR ZERO CALIBRATION OF OXYGEN-SENSING
POLAROGRAPHIC DEVICES

SERIAL NUMBER: 06916938 FILING DATE: 10/09/1986
PATENT NUMBER: 4865038 ISSUE DATE: 09/12/1989
TITLE: SENSOR APPLIANCE FOR NON-INVASIVE MONITORING

SERIAL NUMBER: 06882726 FILING DATE: 07/07/1986
PATENT NUMBER: 4759369 ISSUE DATE: 07/26/1988
TITLE: PULSE OXIMETER

SERIAL NUMBER: 07259217 FILING DATE: 10/18/1988
PATENT NUMBER: 4932410 ISSUE DATE: 06/12/1990
TITLE: DUAL MEMBRANE MOUNTING FOR TRANSCUTANEOUS OXYGEN AND CARBON DIOXIDE
SENSOR

SERIAL NUMBER: 08413774 FILING DATE: 03/16/1995
PATENT NUMBER: 5820550 ISSUE DATE: 10/13/1998
TITLE: PULSE OXIMETER WITH IMPROVED ACCURACY AND RESPONSE TIME

SERIAL NUMBER: 07891760 FILING DATE: 06/01/1992
PATENT NUMBER: 5448991 ISSUE DATE: 09/12/1995
TITLE: PULSE OXIMETER WITH IMPROVED ACCURACY AND RESPONSE TIME

SERIAL NUMBER: 07910786 FILING DATE: 07/08/1992
PATENT NUMBER: 5398680 ISSUE DATE: 03/21/1995
TITLE: PULSE OXIMETER WITH IMPROVED ACCURACY AND RESPONSE TIME

SERIAL NUMBER: 07430612 FILING DATE: 11/01/1989
PATENT NUMBER: 5190038 ISSUE DATE: 03/02/1993
TITLE: PULSE OXIMETER WITH IMPROVED ACCURACY AND RESPONSE TIME

SERIAL NUMBER: 08516867 FILING DATE: 08/18/1995
PATENT NUMBER: 5718225 ISSUE DATE: 02/17/1998
TITLE: SYSTEM FOR SUPPORTING ENDOTRACHEAL TUBES IN PEDIATRIC PATIENTS AND
METHOD OF USING SAME

SERIAL NUMBER: 08177535 FILING DATE: 01/05/1994
PATENT NUMBER: 5443060 ISSUE DATE: 08/22/1995
TITLE: SYSTEM FOR SUPPORTING ENDOTRACHEAL TUBES IN PEDIATRIC PATIENTS AND
METHOD OF USING SAME

SERIAL NUMBER: 09092260 FILING DATE: 06/05/1998
PATENT NUMBER: 6312389 ISSUE DATE: 11/06/2001
TITLE: MULTIPLE FUNCTION AIRWAY ADAPTER

015271/0590 PAGE 3

SERIAL NUMBER: 08680492 FILING DATE: 07/15/1996
PATENT NUMBER: 5789660 ISSUE DATE: 08/04/1998
TITLE: MULTIPLE FUNCTION AIRWAY ADAPTER

SERIAL NUMBER: 09767363 FILING DATE: 01/23/2001
PATENT NUMBER: 6648831 ISSUE DATE: 11/18/2003
TITLE: APPARATUS AND METHOD FOR NON-INVASIVELY MEASURING CARDIAC OUTPUT

SERIAL NUMBER: 09777629 FILING DATE: 02/06/2001
PATENT NUMBER: 6648832 ISSUE DATE: 11/18/2003
TITLE: APPARATUS AND METHOD FOR NON-INVASIVELY MEASURING CARDIAC OUTPUT

SERIAL NUMBER: 10038481 FILING DATE: 01/02/2002
PATENT NUMBER: 6557196 ISSUE DATE: 05/06/2003
TITLE: PATIENT SUPPORT APPARATUS AND METHOD FOR PERFORMING DECUBITUS
BREAST BIOPSY

SERIAL NUMBER: 08770138 FILING DATE: 12/19/1996
PATENT NUMBER: 6306098 ISSUE DATE: 10/23/2001
TITLE: APPARATUS AND METHOD FOR NON-INVASIVELY MEASURING CARDIAC OUTPUT

SERIAL NUMBER: 08963336 FILING DATE: 11/03/1997
PATENT NUMBER: 6126610 ISSUE DATE: 10/03/2000
TITLE: PNEUMATIC CONNECTOR WITH ENCODING

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

4/30/04
BOX ASSIGNMENTS

05-03-2004

RE
P

102735974

OFFICE OF PUBLIC RECORDS

2004 APR 30 PM 3:02

TO: The Honorable Commissioner of Patents and Trademarks
SIR: Please Record the Attached Original Document(s) or Copy(ies) Thereof.

FINANCE SECTION

1. Name of Conveying Party(ies) (Assignor(s)):

Name: Novamatrix Medical Systems Inc.
Address: 1209 Orange Street
Wilmington, DE 19801Additional Name(s) of Conveying Party(ies) Attached? ☐ Yes ☒ No

2. Name and Address of Party(ies) (Assignee(s)) Receiving Interest:

Name: RESPIRONICS NOVAMATRIX, INC.
Address: 5 Technology Drive
Wallingford, CT 06492Additional Name(s) and Address(s) Attached? ☐ YES ☒ NO

3. Nature of Conveyance (Document):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document):

- | | | |
|--|---|--|
| <input type="checkbox"/> Assignment of : | <input type="checkbox"/> Whole | <input type="checkbox"/> Part Interest |
| <input checked="" type="checkbox"/> Change of Name | <input type="checkbox"/> Verified Translation | |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Merger | <input type="checkbox"/> Other: |

Execution Date(s): April 12, 2002

4. Application Number(s) or Patent Number(s):

Execution date(s) on the Declaration if Filed Herewith: N/A(NOTE: If dates on declaration and assignment differ, see atty)

A. Patent Application Number(s):

06/603,718
06/916,938
06/882,726
07/259,217
08/413,774

B. Patent Number(s):

4,541,901
4,865,038
4,759,369
4,932,410
5,820,550Additional Numbers Attached? ☒ Yes ☐ No

5. Name & Address of Party to Whom Correspondence Concerning Document Should be Mailed:

Michael W. Haas
RESPIRONICS, Inc.
1010 Murry Ridge Lane
Murrysville, PA 15668

6. Number Involved:

Appln(s) 3 + Patent(s): 17 = TOTAL 20

7. Total fee (37 C.F.R. § 3.41)

Above Total x \$40 = \$800.00

- ☒
- Enclosed (Check No.
- 302234
-)
-
- ☒
- Authorized to be charged to Deposit Account No. 50-0558

5.5 Attorney Docket Number(s): Various

8. If Above Fee is Missing or Inadequate, Charge the Insufficiency to Deposit Account Number: 50-0558

DO NOT USE THIS SPACE

9. Statement and Signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Signature

10. Total number of pages including this cover sheet, attachments and document (do not file dup. Cover sheet).

5

Attorney: Michael W. HaasReg. No.: 35,174

Tel: (724) 387-5026

Date: April 20, 2004

Fax: (724) 387-5021

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RI-115 RINX (Rev. 09/02)

PATENT
REEL: 020451 FRAME: 0408

RECORDATION FORM COVER SHEET
(Continued)
ADDITIONAL U.S. PATENTS/PENDING APPLICATIONS

A. Patent Application Number(s):

07/891,760
07/910,786
07/430,612
08/516,867
08/177,535
09/092,260
09/841,451
08/680,492
09/767,363
09/777,629
09/262,510
08/770,138
10/657,577
10/657,909
08/963,336

B. Patent Number(s):

5,448,991
5,398,680
5,190,038
5,718,225
5,443,060
6,312,389
N/A
5,789,660
6,648,831
6,648,832
6,227,196
6,306,098
N/A
N/A
6,126,610

CORPORATE SERVICES
1010 Murry Ridge Lane
Murrysville, Pennsylvania 15668-8525
Phone: 724-387-5200
Fax: 724-387-5010



Writer's Direct Numbers
Phone 412-473-5026
Fax 412-473-5021
E-mail michael.haas@respironics.com

Via U.S. Mail

April 27, 2004

Director, U.S. Patent & Trademark Office
Mail Stop Assignment Recordation Services
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Change of Name of Assignee of 20 U.S. Patents/Pending Applications

Sir:

Enclosed is a Recordation Form Cover Sheet for recording the change of name of the owner of record, Novamatrix Medical Systems Inc., for the following 17 U.S. patents and 3 pending patent applications into Respironics Novamatrix, Inc.

	<u>Application No.</u>	<u>Patent No.</u>
1)	06/603,718	4,541,901
2)	06/916,938	4,865,038
3)	06/882,726	4,759,369
4)	07/259,217	4,932,410
5)	08/413,774	5,820,550
6)	07/891,760	5,448,991
7)	07/910,786	5,398,680
8)	07/430,612	5,190,038
9)	08/516,867	5,718,225
10)	08/177,535	5,443,060
11)	09/092,260	6,312,389
12)	09/841,451	
13)	08/680,492	5,789,660
14)	09/767,363	6,648,831
15)	09/777,629	6,648,832
16)	09/262,510	6,227,196
17)	08/770,138	6,306,098
18)	10/657,577	
19)	10/657,909	
20)	08/963,336	6,126,610

Also enclosed is an Amended and Restated Certificate of Incorporation of Novamatrix Medical Systems Inc. This document provides evidence that Novamatrix Medical Systems Inc. amends the original Certificate of Incorporation to change the name of the corporation to Respironics Novamatrix, Inc. as of April 12, 2002.

Director, U.S. Patent & Trademark Office
April 27, 2004
Page 2

A check in the amount of eight hundred dollars (\$800.00), check no. 302234, is enclosed for the recordation fee of these 20 patents/pending applications. The Commissioner is hereby authorized to charge any deficiency in the indicated fees or charge any overpayment to deposit account no. 50-0558.

A Notice of Recordation indicating that the amendment has been recorded for each of the patents and/or pending applications listed above is earnestly solicited. Please feel free to contact the undersigned applicant's representative directly if there any questions.

Sincerely,

RESPIRONICS, INC.



Michael W. Haas
Intellectual Property Counsel
RESPIRONICS, Inc.
Reg. No. 35,174
Tel.: 724-387-5026
Fax: 724-387-5021

EXHIBIT A

**AMENDED AND RESTATED
CERTIFICATE OF INCORPORATION
OF
NOVAMETRIX MEDICAL SYSTEMS INC.**

Novametrix Medical Systems Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware (the "Corporation"), does hereby certify as follows:

1. The name of the Corporation is Novametrix Medical Systems Inc. and the name under which the Corporation was originally incorporated is Micro Medical Systems Inc. The date of filing of its original Certificate of Incorporation with the Secretary of State was March 13, 1978.

2. This Restated Certificate of Incorporation was duly adopted by vote of the stockholders in accordance with Sections 242 and 245 of the General Corporation Law of the State of Delaware.

3. This Restated Certificate of Incorporation restates and integrates and further amends the Certificate of Incorporation of the Corporation to read as follows:

ARTICLE I

The name of the Corporation is Respironics Novametrix, Inc.

ARTICLE II

The registered office of the Corporation in the State of Delaware is located at 1209 Orange Street, in the City of Wilmington, County of New Castle. The name of the Corporation's registered agent in the State of Delaware at such address is The Corporation Trust Company.

ARTICLE III

The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

ARTICLE IV

The total number of shares of stock which the Corporation shall have authority to issue is 1,000 shares of Common Stock, with a par value of \$.01 per share.

ARTICLE V

The business and affairs of the Corporation shall be managed by or under the direction of the Board of Directors, the number of members of which shall be set forth in the Bylaws of the Corporation. Election of directors need not be by ballot unless the Bylaws of the Corporation shall so provide.

ARTICLE VI

In furtherance and not in limitation of the power conferred upon the Board of Directors by law, the Board of Directors shall have power to make, adopt, alter, amend and repeal, from time to time, the Bylaws of the Corporation, subject to the right of the stockholders entitled to vote with respect thereto to alter and repeal Bylaws made by the Directors.

ARTICLE VII

Personal Liability of Directors.

1. To the fullest extent that the laws of the State of Delaware, as the same exist or may hereafter be amended, permit elimination of the personal liability of directors, no director of the Corporation shall be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

2. The provisions of this Article shall be deemed to be a contract with each director of the Corporation who serves as such at any time while this Article is in effect, and each such director shall be deemed to be serving as such in reliance on the provisions of this Article. Any amendment or repeal of this Article or adoption of any Bylaw of the Corporation or other provision of the Certificate of Incorporation of the Corporation which has the effect of increasing director liability shall operate prospectively only and shall not affect any action taken, or any failure to act, by a director of the Corporation prior to such amendment, repeal, Bylaw or other provision becoming effective.

ARTICLE VIII

The Corporation shall indemnify and hold harmless any corporate agent from and against any and all expenses and liabilities that may be imposed upon or incurred by him in connection with, or as a result of, any proceeding in which he may become involved, as a party or otherwise, by reason of the fact that he is or was such a corporate agent, whether or not he continues to be such at the time such expenses and liabilities shall have been imposed or incurred; provided that a determination is made in accordance herewith that (a) such corporate agent acted in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the Corporation and (b) with respect to any criminal proceeding, such corporate agent was without reasonable cause to believe that his conduct was unlawful. Any such determination shall be made (a) by the Board of Directors acting by a quorum consisting of Directors who were not parties to the proceeding, or (b) if such quorum is unobtainable, or even if obtainable, a quorum consisting of Directors who were not such parties so directs, by independent legal counsel in a written opinion, or (c) by the stockholders of the Corporation entitled to vote in elections of directors. Notwithstanding the foregoing, no corporate agent shall be entitled to claim the indemnity provided for herein with respect to any claim, issue or matter as to which he shall have been finally adjudged, in a proceeding by or in the right of the Corporation to procure a judgment in its favor, to be liable for negligence or misconduct in the performance of his duty to the Corporation, unless and only to the extent that the Court of Chancery of the State of Delaware or the court in which such proceeding was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such corporate agent is fairly and reasonably entitled to indemnity for such expenses which the court shall deem proper. The termination of any proceeding by a judgment, order, settlement or conviction, or upon a plea of *nolo contendere* or its equivalent, shall not, of itself, create a presumption that a corporate agent did not act in good faith and in a manner which he reasonably believed to be in or not opposed to the

best interests of the Corporation, or, with respect to any criminal proceeding, had reasonable cause to believe that his conduct was unlawful. The foregoing right of indemnification shall not be deemed exclusive of any other right to which corporate agents may be entitled, and the Corporation may provide additional indemnity and rights to corporate agents in any other manner permitted by law.

Expenses incurred by a corporate agent in connection with a proceeding may be paid by the Corporation in advance of the final disposition of the proceeding upon receipt of an undertaking by or on behalf of the corporate agent to repay the amounts advanced by the Corporation unless it shall be ultimately determined that he is entitled to be indemnified by the Corporation.

The Corporation may purchase and maintain insurance on behalf of any corporate agent against any expenses incurred by him in any proceeding and any liabilities asserted against him in his capacity as corporate agent or arising out of his status as such, whether or not the Corporation would have the power to indemnify him against such expenses or liabilities.

As used herein, (a) "corporate agent" means any person who is or was a Director, officer, employee or agent of the Corporation and any person who is or was a director, officer, member, trustee, employee or agent of any other enterprise, serving as such at the request of the Corporation, or the legal representative of any such director, officer, member, trustee, employee or agent, (b) "other enterprise" means any domestic or foreign corporation, other than the Corporation, any partnership, joint venture, sole proprietorship, trust or other enterprise, whether or not for profit, served by a corporate agent, (c) "expenses" include, without limitation, reasonable costs, disbursements and attorneys' fees, (d) "liabilities" include, without limitation, amounts paid or incurred in satisfaction of settlements, judgments, fines and penalties and (e) "proceeding" means any threatened, pending or completed civil, criminal, administrative or arbitral action, suit or proceeding, any appeal therein and any inquiry or investigation which could lead to any such action, suit or proceeding.

IN WITNESS THEREOF, the Corporation has caused this Restated Certificate of Incorporation to be duly executed as of the 12th day of April, 2002.

NOVAMETRIX MEDICAL SYSTEMS INC.

By 

Name: William J. LaCourciere

Title: Chief Executive Officer