

08-26-2008

76986-A-PCT-US/JPW/JL

FORM PTO-1595 (Substitute)

U.S. DEPARTMENT OF COMMERCE

(Rev. 8-96)

Patent and Trademark Office

To the Honorable Commissioner of Patents and

103521471

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Rajesh Pandey and Charles R. Shambaugh, Jr.

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger
☐ Security Assignment ☐ Change of Name
☐ Other

Execution Date(s): July 23, 2008; and July 28, 2008

2. Name and address of receiving party(ies):

Name: HeartWare, Inc.

Internal Address:

Street Address: 14000 N.W. 57th Street Ct.

City/State/Zip: Miami Lakes, FL 33014

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is (are):

A. Patent Application No.(s) 12/087,715

B. Patent No.(s)

Filed: July 10, 2008

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John P. White, Esq.

Internal Address: Cooper & Dunham LLP

Street Address: 1185 Avenue of the Americas

City/State/Zip: New York, New York 10036

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR §3.41): \$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

03-3125

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.

John P. White

Name of Person Signing
Reg. No. 28,678

Signature

August 21, 2008

Date

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
 Mail Stop Assignment Recordation Services,
 Director of the United States Patent and Trademark Office,
 P.O. Box 1450
 Alexandria, VA 22313-1450

Total Number of pages including cover sheet, attachments and document: 4

John P. White
Reg. No. 28,678

August 21, 2008

Date

08/25/2008 DBYRNE 00000075 033125 12087715
 01 FC:8021 40.00 DA

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services
 Director of the United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

PATENT

REEL: 021451 FRAME: 0695

Assignment of Non-Provisional Application

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the undersigned, Rajesh Pandey, residing at 220 NW 75th Way, Plantation, Broward County, FL 33317, U.S.; and Charles R. Shambaugh, Jr., residing at 707 Zamora Avenue, Coral Gables, FL 33134, U.S.

Hereby sell, assign and transfer to HeartWare, Inc., a corporation of the State of Florida, having a place of business at 14000 N.W. 57th Street Ct., Miami Lakes, FL 33014, in the County of Miami-Dade and State of Florida, its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on July 23, 2008; and July 28, 2008 *and is entitled*

SURGICAL TOOL FOR CORING PRECISE HOLES AND PROVIDING FOR RETRIEVAL OF TISSUE

(U.S. Serial No. 12/087,715, §371 national stage of PCT International Application No. PCT/US2007/000764, filed January 12, 2007, claiming the benefit of U.S. Serial No. 11/332,016, filed January 13, 2006)

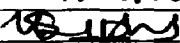
and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

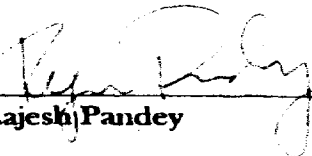
Authorize and request the Commissioner for Patents of the United States to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

JPW Rev. April 19, 2007

Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 7/23/08
 Witness:  (signature)
UDAL SINGH (printed name)
210 WHITEBERRY DR (address)
CARY, NC 27519

 [LS]
 Rajesh Pandey

JPW Rev. April 19, 2007

Date: 7/20/08

Witness: [Signature] [signature]

Mikhail Steinberg [printed name]

6201 Collins Ave #2504 [address]

Miami Beach, FL 33141

Charles R. Shambaugh, Jr. [LS]
Charles R. Shambaugh, Jr.

JPW Rev. April 19, 2007