

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
CONVEYING PARTY DATA											
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Mehdi M. Jafari</td><td>12/18/2008</td></tr><tr><td>Jeffrey K. Aviano</td><td>12/18/2008</td></tr><tr><td>Rhomere S. Jimenez</td><td>12/18/2008</td></tr><tr><td>Gail F. Upham</td><td>12/18/2008</td></tr></tbody></table>		Name	Execution Date	Mehdi M. Jafari	12/18/2008	Jeffrey K. Aviano	12/18/2008	Rhomere S. Jimenez	12/18/2008	Gail F. Upham	12/18/2008
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RECEIVING PARTY DATA											
<table border="1"><tr><td>Name:</td><td>Nellcor Puritan Bennett LLC</td></tr><tr><td>Street Address:</td><td>6135 Gunbarrel Avenue</td></tr><tr><td>City:</td><td>Boulder</td></tr><tr><td>State/Country:</td><td>COLORADO</td></tr><tr><td>Postal Code:</td><td>80301</td></tr></table>		Name:	Nellcor Puritan Bennett LLC	Street Address:	6135 Gunbarrel Avenue	City:	Boulder	State/Country:	COLORADO	Postal Code:	80301
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PROPERTY NUMBERS Total: 1											
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CORRESPONDENCE DATA											
Fax Number: (203)492-8232 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
Phone: 303-305-2400											
Email: eleanor.vigil@covidien.com											
Correspondent Name: Nellcor Puritan Bennett LLC											
Address Line 1: 60 Middletown Avenue											
Address Line 2: Attn: IP Legal											
Address Line 4: North Haven, CONNECTICUT 06473											
ATTORNEY DOCKET NUMBER:	H-RM-01275										
NAME OF SUBMITTER:	Roger T. Barrett										
Total Attachments: 8											

CH \$40.00 12242741

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PATENT
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ASSIGNMENT

WHEREAS, (we), the undersigned

1. Mehdi M. Jafari of 25982 Anacapa Street, Laguna Hills, CA 92653;
2. Jeffrey K. Aviano of 1946 Rock Springs Road, Escondido, CA 92026;
3. Rhomere S. Jimenez of 31643 Umbria Lane, Winchester, CA 92596;
4. Gail F. Upham of 1625 Winterwarm Road, Fallbrook, CA 92028;

(hereinafter, individually referred to as "ASSIGNORS") are inventors of the subject matter which is claimed and for which a patent is sought based on the patent application entitled:

**"LEAK-COMPENSATED FLOW TRIGGERING AND CYCLING
IN MEDICAL VENTILATORS"**

and which may be further identified below (hereinafter, the "Patent Application").

NOW THEREFORE, we, the ASSIGNORS, in consideration of our past and/or present relationship with the ASSIGNEE (defined below) or an affiliate thereof, and for other good and valuable consideration, the receipt, sufficiency and adequacy of which are hereby acknowledged, does hereby:

SELL, ASSIGN AND TRANSFER to **Nellcor Puritan Bennett LLC** (hereinafter, the "ASSIGNEE"), a legal entity of the State of Delaware, having a place of business at **6135 Gunbarrel Avenue, Boulder, Colorado 80301**, the entire right, title and interest for the United States and all foreign countries in and to any invention(s) and all improvements which are disclosed in the Patent Application and all divisional, continuation, continuation-in-part, substitute, renewal, reissue, re-examinations, and all other applications for patent which have been or shall be filed in the United States, including all provisional and non-provisional applications, and all foreign countries relating to such inventions and improvements; all original and reissued or re-examined patents which have been or shall be issued in the United States and all foreign countries for such invention(s) and improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on the Patent Application, and the right to sue for past, present and future infringement of any patents issuing from the Patent Application;

AUTHORIZE AND REQUEST ASSIGNEE, its successors and assigns, or any attorney it may properly designate and/or to insert into this assignment additional information, such as that listed below, identifying the Patent Applications after execution of this assignment;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on the Patent Application to the ASSIGNEE,

AUTHORIZE the ASSIGNEE to apply for such patents for the invention in its own name;

WARRANT AND COVENANT that no assignment, grant, mortgage, lien, license or other encumbrance or agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the ASSIGNOR(S);

COVENANT, when requested and at the expense of the ASSIGNEE, to carry out in good faith the intent and purpose of this assignment, the undersigned will (1) execute all divisional, continuation, continuation-in-part, substitute, renewal, reissue, re-examinations, and all other patent applications based on the Patent Application, including any and all such invention(s) and improvements entitled; (2) execute all rightful oaths, declarations, assignments, powers of attorney and other papers relating to the foregoing; (3) communicate to the ASSIGNEE all facts known to the undersigned relating to the Patent Application, including any and all invention(s) and improvements disclosed therein and the history relating thereto; (4) cooperate with the ASSIGNEE in any interference, opposition, dispute, or litigation involving any of the applications or patents for such invention(s) and improvements, including but not limited to testifying; and (5) generally do everything possible which the ASSIGNEE shall consider desirable for vesting title to such invention(s) and improvements in the ASSIGNEE, and for securing, maintaining and enforcing proper patent protection for such inventions(s) and improvements; and

AGREES THAT THIS ASSIGNMENT IS BINDING upon the heirs, assigns, representatives and successors of the undersigned and extends to the successors, assigns and nominees of the ASSIGNEE.

Additional Patent Application Information

U.S. Provisional Application Serial No. 61/041,070, filed on March 31, 2008.

U.S. Non-Provisional Application Serial No. 12/242,741, filed on 9/30/08.

International Application Serial No. _____, filed on _____.

(Signature):

Mehdi M. Jafari

Date:

12-18-08

Name: Mehdi M. Jafari

STATE OF _____ §
§ ss.
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this _____ day of _____, 2008, personally appeared Mehdi M. Jafari known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

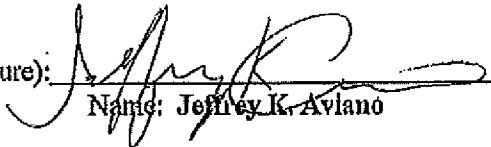
[SEAL]

Notary or Consular Officer

My Commission Expires: _____




PATENT
H-RM-01275

(Signature): 
Name: Jeffrey K. Avlano

Date: Dec 18, 2008

STATE OF _____	§
	§ ss.
COUNTY OF _____	§
BEFORE ME, the undersigned authority, on this _____ day of _____, 2008, personally appeared Jeffrey K. Avlano known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.	
[SEAL]	_____ Notary or Consular Officer
	My Commission Expires: _____

(Signature): 
Name: Rhomere S. Jimenez

Date: 12-18-2008

STATE OF _____	§
	§ ss.
COUNTY OF _____	§
BEFORE ME, the undersigned authority, on this _____ day of _____, 2008, personally appeared Rhomere S. Jimenez known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.	
[SEAL]	_____ Notary or Consular Officer
	My Commission Expires: _____

PATENT
H-RM-01275

(Signature): Gail F. Upham
Name: Gail F. Upham

Date: Dec 18, 2008

STATE OF _____ §
COUNTY OF _____ § ss.
§

BEFORE ME, the undersigned authority, on this _____ day of _____, 2008, personally appeared Gail F. Upham known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]

Notary or Consular Officer

My Commission Expires: _____

State of California)
County of San Diego)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On December 18th 2008 before me, Rohit A. Rabadia, Notary Public,
(here insert name and title of the officer)

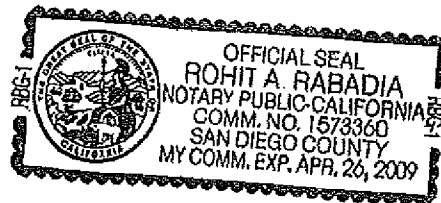
personally appeared Mehdi M. Jafari

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rohit A. Rabadia



(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Assignment HRN-01275

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☒ Individual(s)
☐ Attorney-in-Fact
☐ Corporate Officer(s) _____
Title(s) _____

- ☐ Guardian/Conservator
☐ Partner - Limited/General
☐ Trustee(s)
☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

- ☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)
☐ _____

State of California)
County of San Diego)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On December 18th 2008 before me, Rohit A. Rabadia Notary Public,
(here insert name and title of the officer)

personally appeared Jeffrey K. Aviano _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Rohit A. Rabadia

(Seal)

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☐ Attorney-in-Fact
☐ Corporate Officer(s) _____ Title(s)

- ☐ Guardian/Conservator
☐ Partner - Limited/General
☐ Trustee(s)
☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information	
Method of Signer Identification	
Proved to me on the basis of satisfactory evidence: <input checked="" type="radio"/> form(s) of identification <input type="radio"/> credible witness(es)	
Notarial event is detailed in notary journal on: Page # _____ Entry # _____	
Notary contact: _____	
Other	
<input type="checkbox"/> Additional Signer(s)	<input type="checkbox"/> Signer(s) Thumbprint(s)
<input type="checkbox"/> _____	

State of California)
County of San Diego)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On December 18th 2008 before me, Rohit A. Rabadia Notary Public,
(here insert name and title of the officer)

personally appeared Rhame S. Jimenez _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Rohit A. Rabadia

(Seal)

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State of California)
County of San Diego)

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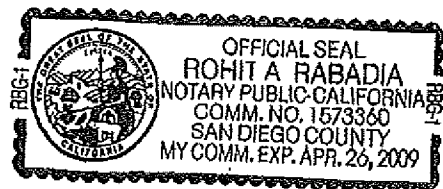
On December 18th 2008 before me, Rohit A. Rabadia Notary Public,
(here insert name and title of the officer)

personally appeared Gail F. Upham

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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Signature Rohit A. Rabadia

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