Electronic Version v1.1

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SUBMISSION TYPE:		NEW ASSIGNMENT			
NATURE OF CONVEYANCE:			ASSIGNMENT		
CONVEYING PARTY DATA					
		N	lame	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	
RECEIVING PARTY D	ΑΤΑ				
Name:	Nellcor Purita	an Benr	nett LLC		
Street Address:	6135 Gunbarrel Avenue				
City:	Boulder				
State/Country:	COLORADO				
Postal Code:	80301				
PROPERTY NUMBERS Total: 1 Property Type Number					12242741
		12242	741		G
CORRESPONDENCE	DATA				\$40.00
Fax Number:	(203)49	2-8232			СН
-			hen the fax attempt is unsuccessful.		
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 PATENT					
500738227			RE	EL: 022016 FRAME: 0264	•

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<u>ASSIGNMENT</u>

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:

"<u>LEAK-COMPENSATED FLOW TRIGGERING AND CYCLING</u> <u>IN MEDICAL VENTILATORS</u>"

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, relssue, 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 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.

Additio	onal Patent Application Information
U.S. Provisional Application Serial No. 61/04	1,070, filed on March 31, 2008.
U.S. Non-Provisional Application Serial No.	12/242,741 , Aled on 9/30/08,
International Application Serial No.	, filed on
ignature): <u>MM Jufan</u> Name: Mehdi M, Jafari	Date: 12 - 18 - 08
TA'IE OF	§ . § .5.
ounty of	§
BFORE ME, the undersigned authority, on this o the person whose name subscribed to the foregoing upposes and consideration therein expressed.	
[SBAL]	Notary or Consular Officer



PATENT REEL: 022016 FRAME: 0267

2 of 4

PATENT H-RM-01275

(Signature) Jeffrey K-Aviano

STATE OF_

Date: DEC 18, 7008

§ 53. COUNTY OF_ DECURE, ME, the undersigned authority, on this ______day of ______, 2008, personally appeared Jeffrey K. Aviano 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. Notary or Consular Officer [SBAL] My Commission Expires:____ Date: 12-18-2002 (Signature): Name: Rhomere S. Jimenez STATE OF ş . Ş 55, COUNTY OF_ BREORB MB, 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 , 2008, personally appeared Rhomero S, Jimenez known to the purposes and consideration therein expressed. SEAL] Notary or Consular Officer My Commission Expires;____

3 of 4

PATENT H-RM-01275

Fliplan Date: Dec 18, 0008 Mar (Signature):___ Name: Gail F. Upham

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

	LIFORNIA ALL-PURPOSE CATE OF ACKNOWLEDGMENT
who proved to me on the basis of satisfactory evidence to be the pers the within instrument and acknowledged to me that he/she/th authorized capacity(ies), and that by his/her/their signature(s) on th upon behalf of which the person(s) acted, executed the instrument.	son(s) whose name(s) is/are subscribed to ey executed the same in his/her/their
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	OFFICIAL SEAL ROHIT A. RABADIA NOTARY PUBLIC-CALIFORNIA COMM. NO. 1573360 SAN DIEGO COUNTY MY COMM. EXP. APR. 20, 2009 (Seal)
OPTIONAL INFORMATION Although the Information in this section is not required by law, it could prever acknowledgment to an unauthorized document and may prove useful to per-	
Description of Attached Document The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Assign + HRA-01275	Method of Signer identification Proved to me on the basis of satisfactory evidence: LO form(s) of identification O credible witness(es)
containingpages, and dated	Notarial event is detailed in notary journal on: Page # Entry #
The signer(s) capacity or authority is/are as:	Notary contact: Other Additional Signer(s) Signer(s) Thumborint(s)
Guardian/Conservator, Partner - Limited/Géneral Trustee(s) Other. representing: Name(s) of Person(s) or Entity(les) Signer is Representing	

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State of California) CALIFORNIA ALL-PURPOSE County of Som Diverse) CERTIFICATE OF ACKNOWLEDGN	IENT			
On Decembro 18 ²¹ 2008 before me, Rdit A. Rabadin Notory Public (here insert name and title of the officer) personally appeared <u>Teff rey</u> K. Avitino				
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/ber/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. WITNESS my hand and official seal.				
Signature Roil A. Rahadise (Seal)				
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Description of Attached Document				
The preceding Certificate of Acknowledgment is attached to a document Method of Signer Identification				
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containing pages, and dated Notariai event is detailed in notary journal or Page # Entry #	n:			
The signer(s) capacity or authority is/are as: Notary contact:				
Other				
Attorney-In-Fact	nt(s)			
Corporate Officer(s)				
Guardian/Conservator Partner - Limited/Géneral Trustee(s) Other:				
representing:				
	Carried Carlot & Carlot A			

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	LIFORNIA ALL-PURPOSE CATE OF ACKNOWLEDGMENT Ralacdia Notory Public reinsert name and title of the officer			
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.	OFFICIAL SEAL ROHIT A RABADIA NOTARY PUBLIC CALIFORNIA SAN DIEGO COUNTY MY COMM. EXP. APR. 26, 2009			
Signature (Kent A. Robodie	(Seal)			
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Description of Attached Document The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of <u>Assignment</u> <u>H-RM-01275</u>	Method of Signer Identification Proved to me on the basis of satisfactory evidence: C form(s) of Identification O form(s) of Identification O credible witness(es)			
, containing pages, and dated	Notarial event is detailed in notary journal on: Page # Entry #			
The signer(s) capacity or authority is/are as:	Notary contact: Other Image: Additional Signer(s) Image: Signe: Signer(s) Image: Signer(s)			
Guardlan/Conservator, - Partner - Limited/Géneral Trustee(s) Other:				
representing:				

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who proved to me on the basis of satisfactory evidence to be the person(s)-whose name(s)-tis/are subscribed to the withih instrument and acknowledged to me thatShe/size/Hey executed the same in his/her/their autorized capacity(jae), and that by bis/her/their-signature(s) on the instrument the person(s)-or the entity upon behalf of which the person of paragraph is true and correct. WITNESS my hand and official seal. Signature Part Archard Part (S) (Seal) OPTIONAL INFORMATION Although the Information in this section is net required by law, it could prevent fraudulent removal and regatachment of this ecknowledgment 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 The signer(s) capacity or authority is/are as: Ordination of the person of attached may prove useful to persons relying of the diaton signer(a) catable unnegative diseases of the diaton of the sign of attached document. Nethod of Signer (Bantfaltation on the bast of statisfactory evidence:		LIFORNIA ALL-PURPOSE CATE OF ACKNOWLEDGMENT Rel.rcl.in Notory Public.			
State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature Control A BADIA Control	the within instrument and acknowledged to me that She/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				
(Seal) 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 ofAssrc_nn_tH-RMolars containingpages, and datedf the signer(s) capacity or authority is/are as: Individually Trute(s) Guardian/Conservator Trute(s) Guardian/Conservator Trute(s) fiture(s) fiture(s)	State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.	HOHIT A RABADIA COMPUBLIC CALIFORNIA COMM. NO. 1573360			
Description of Attached Document The preceding Certificate of Acknowledgment Is attached to a document titled/for the purpose ofAssignmentH.BM=01205 containingpages, and dated'' containingpages, and dated'' The signer(s) capacity or authority is/are as: Individual(y) Attorney-In-Fact Corporate Officer(s) True(s)	OPTIONAL INFORMATION	I			
The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose ofAssignm_+H+.Rm_olars Method of Signer Identification Method of Signer Identification Proved to me on the basis of satisfactory evidence: L_O form(s) of identification containing pages, and dated The signer(s) capacity or authority is/are as:		nt fraudulent removal and reattachment of this rsons relying on the attached document.			
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titled/for the purpose of LO form(s) of identification O credible witness(es) Notarial event is detailed in notary journal on: Page #					
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Attorney-In-Fact Corporate Officer(s) Title(s) Guardlan/Conservator. Partner - Limited/Géneral Trustee(s) Other: representing: Itame(s) of Person(s) or Entitylies) Signer is Representing					
Guardlan/Conservator.	Attorney-In-Fact	Additional Signer(s) Signer(s) Thumbprint(s)			
Guardlan/Conservator - Partner - Limited/General Trustee(s) Other: representing:	L Corporate Officer(s)				
Partner - Limited/Géneral Trustee(s) Other. representing:					
Trustee(s) Other: representing: Hame(s) of Person(s) or Entity(les) Signer is Representing					
representing:	Trustee(s)				
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