

**PATENT ASSIGNMENT**

Electronic Version v1.1  
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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Respiratory Diagnostic, Inc.	09/12/2008

RECEIVING PARTY DATA	
Name:	Mederi Therapeutics, Inc.
Street Address:	8 Sound Shore Drive
Internal Address:	Suite 160
City:	Greenwich
State/Country:	CONNECTICUT
Postal Code:	06830

PROPERTY NUMBERS Total: 30

Property Type	Number
Application Number:	11175471
Application Number:	12221850
Application Number:	11650887
Application Number:	12315890
Application Number:	12287404
Application Number:	11651750
Application Number:	11446771
Application Number:	12004189
Application Number:	12315423
Application Number:	12001091
Application Number:	11299955
Application Number:	10963025
Application Number:	11656062
Application Number:	10857632

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Application Number:	11254951
Application Number:	12231924
Application Number:	11230801
Application Number:	11366650
Application Number:	12313845
Application Number:	11906457
Application Number:	11365943
Application Number:	11650079
Application Number:	11055450
Application Number:	11638952
Application Number:	12291626
Application Number:	11580543
Application Number:	11638958
Application Number:	10916714
Application Number:	11895205
Application Number:	11702695

**CORRESPONDENCE DATA**

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Correspondent Name: Judith Dunaway/Daniel Ryan  
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ATTORNEY DOCKET NUMBER:	CURON/MEDERI US PATS
NAME OF SUBMITTER:	Daniel D. Ryan

Total Attachments: 9  
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## PATENT ASSIGNMENT

This PATENT ASSIGNMENT ("Assignment") is made as of the \_\_\_\_ day of September, 2008 by RESPIRATORY DIAGNOSTIC, INC., a Washington corporation ("ASSIGNOR"), which for good and valuable consideration, the receipt of which is hereby acknowledged, confirms that it has sold and assigned, and does hereby sell, assign, and transfer to Mederi Therapeutics Inc., a Delaware corporation, and any successors, assigns and legal representatives thereof (collectively "ASSIGNEE"): (1) the entire right, title and interest under the laws of the United States and all other jurisdictions, in and to those patents and patent applications listed in the annexed Schedule A and any and all inventions and discoveries disclosed therein, including any subsequently filed utility applications or issued patents which claim priority to said patents and patent applications, including any renewals, revivals, reissues, reexaminations, extensions, continuations, continuations-in-part and divisions thereof and any substitute applications therefor, and all foreign counterparts corresponding to any of the foregoing in any other country in the world (collectively "Patents"), said entire right, title and interest including the right to sue and recover for past infringement of any of the Patents accruing after November 17, 2006; (2) the full and complete right to file patent applications in the name of the ASSIGNEE or its designee on the aforesaid inventions and discoveries in the United States and in any other country in the world; (3) the entire right, title and interest in and to any letters patent which may issue thereon in the United States or in any other country in the world, and any renewals, revivals, reissues, reexaminations and extensions thereof, and any patents of confirmation, registration and importation of the same; and (4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation, all rights of priority in any country in the world in and to the aforesaid inventions and discoveries.

ASSIGNOR hereby authorizes and requests the competent authorities to grant and to issue any and all such letters patent in the United States and in any other country in the world to the ASSIGNEE, as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, sale and transfer not been made.

ASSIGNOR agrees, at any time, upon the request of the ASSIGNEE, to execute and to deliver to the ASSIGNEE any additional applications for patents for the aforesaid inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any letters patent issuing on said inventions and discoveries, and divisions, continuations, continuations-in-part, renewals, revivals, reissues, reexaminations and extensions thereof.

ASSIGNOR agrees, at any time, to execute and to deliver upon the request of the ASSIGNEE such additional documents, if any, which are necessary or desirable to secure patent protection on the patent applications listed in the annexed Schedule A or on the aforesaid inventions and discoveries in the United States or in any other country in the world, and otherwise to do, at the ASSIGNEE'S request and expense, all things reasonable, necessary and proper to give full effect to and to perfect the rights of the ASSIGNEE under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale that may be necessary or desirable.

ASSIGNOR covenants that the ASSIGNEE will, upon the ASSIGNEE'S request and at the ASSIGNEE'S expense, be provided promptly with all pertinent facts and documents relating to the Patents as may be known to the ASSIGNOR and the ASSIGNOR, upon the ASSIGNEE'S request and at the ASSIGNEE'S expense, will testify as to the same in any interference, litigation or proceeding related thereto and promptly execute and deliver to the ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce the Patents, which may be necessary or desirable to carry out the purposes thereof.

This Assignment may be executed in one or more counterparts, all of which shall be considered one and the same agreement, and shall become effective when one or more such counterparts have been signed by each of the ASSIGNOR and ASSIGNEE (collectively "Parties") and delivered to the other party to this Assignment. Signatures transmitted by facsimile or telecopy shall be binding on the Parties as if originally executed.

This Assignment shall be governed by and construed in accordance with the laws of the State of Delaware applicable to agreements made and to be performed entirely within such State, without regard to the conflict of laws principles of such State.

This Assignment shall be binding upon and inure solely to the benefit of the Parties hereto, their successors and assigns, and nothing in this Assignment, express or implied, is intended to or shall confer upon any other individual, group, corporation, partnership, trust or other organization or entity (including any federal, state, local or non-U.S. government or any court of competent jurisdiction, legislature, governmental agency, administrative agency or commission or other governmental authority or instrumentality, U.S. or non-U.S.), benefits or remedies of any nature whatsoever under or by reason of this Assignment.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have duly executed this Assignment as of the date first written above.

ASSIGNOR:

RESPIRATORY DIAGNOSTICS, INC.

By: *David Schwartz*

Name: David Schwartz

Title: President

STATE OF California ) SS:  
COUNTY OF Contra Costa )

On this 12<sup>th</sup> day of Sept., 2008, before me, the undersigned notary public, personally appeared David Schwartz, proved to me through satisfactory evidence of identification which was Driver's License, to be the person whose name is signed on this document and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

*Cindy Barlow*  
Notary Public  
My Commission Expires: February 23, 2009



IN WITNESS WHEREOF, I, GENRIK SIVORINOVSKY, hereby declare  
(Printed Name of Witness)

that I was personally present and did see the above named person duly sign and execute the assignment.

*[Signature]*  
(Signature of Witness)

Date: \_\_\_\_\_

IN WITNESS WHEREOF, I, Sandra Fuentes, hereby declare  
(Printed Name of Witness)

that I was personally present and did see the above named person duly sign and execute the assignment.

*Sandra Fuentes*  
(Signature of Witness)

Date: \_\_\_\_\_

[Signature Page to Patent Assignment]

ASSIGNEE:

Mederi Therapeutics Inc.

By: [Signature]

Name: STEVEN P. NOVAK

Title: Chairman

Date: 12 SEPTEMBER 2008

STATE OF CT ) SS:  
COUNTY OF FAIRFIELD )

On this 12<sup>th</sup> day of SEPT, 2008, before me, the undersigned notary public, personally appeared STEVEN P. NOVAK proved to me through satisfactory evidence to be the person whose name is signed on this document and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

[Signature]  
Notary Public  
My Commission Expires: 08/30/2010

**ERINE A. CORRELL**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES 8/30/08

IN WITNESS WHEREOF, I, BRUCE ROBIN, hereby declare  
(Printed Name of Witness)

that I was personally present and did see the above named person duly sign and execute the assignment

[Signature]  
(Signature of Witness)

Date: 9.12.08

IN WITNESS WHEREOF, I, PATRICK F. CONROY, hereby declare  
(Printed Name of Witness)

that I was personally present and did see the above named person duly sign and execute the assignment

[Signature]  
(Signature of Witness)

Date: 9/12/08

[Signature Page to Patent Assignment]

SCHEDULE A  
Assignment from Respiratory Diagnostic, Inc. to Mederi Therapeutics, Inc.

Docket #	Full Title	Serial #	Filed	Issue #	Issued
9222.16399-F CON	Electrodes for Creating Lesions in Tissue Regions at or Near a Sphincter	10/046,637	1/4/2002	6,562,034	5/13/2003
9222.16565-CIP 2 DIV	Systems and Methods for Treating Dysfunctions in the Intestines and Rectum that Adapt to the Anatomic Form and Structure of Different Individuals	12/004,189	12/20/2007		
9222.16632-CIP 2 DIV DIV	Graphical User Interface for Monitoring and Controlling Use of Medical Devices	11/299,955	12/12/2005		
9222.18601	Systems and Methods for Treating Tissue Regions of the Body	10/857,632	5/28/2004		
9222.16399-D DIV	Graphical User Interface for Association with an Electrode Structure Deployed in Contact with a Tissue Region	10/024,747	12/19/2001	7,122,031	10/17/2006
9222.18617-CON	Surgical Weight Control Device	11/043,902	1/26/2005	7,326,207	2/9/2008
9222.17412-CIP 2	Systems and Methods Employing a Guidewire for Positioning and Stabilizing External Instruments Deployed within the Body	10/017,906	12/14/2001	7,077,841	7/18/2006
9222.17777-CON DIV CON	RF Electrode Array for Low Rate Collagen Shrinkage in Capsular Shift Procedures and Methods of Use	11/650,887	1/8/2007		
9222.16792-CON DIV	GERD Treatment Apparatus and Method	10/986,887	11/12/2004	7,462,179	12/9/2008
9222.17797-CON 2	Medical Instruments and Techniques for Treatment of Gastro-Esophageal Reflux Disease	09/648,345	8/25/2000	6,535,768	3/18/2003
9222.17800-DIV 2	Surgical Techniques for Treating Gastro-Esophageal Reflux Disease	10/780,027	2/17/2004	7,008,419	3/7/2006
9222.16632-CIP CON DIV	Systems and Methods for Monitoring and Controlling Use of Medical Devices	10/974,454	10/27/2004	7,465,301	12/16/2008
9222.16399-A	Systems and Methods for Treating the Cardia of the Stomach and Adjoining Tissue Regions in the Esophagus	09/304,737	5/4/1999	6,464,697	10/15/2002
9222.16399-B	Systems and Methods for Forming Composite Lesions to Treat Dysfunction in Sphincters and Adjoining Tissue Regions	09/304,750	5/4/1999	6,402,744	6/11/2002
9222.16399-C	Integrated Tissue Heating and Cooling Apparatus	09/305,079	5/4/1999	6,273,886	8/14/2001
9222.16399-A CIP	Systems and Methods for Applying a Selected Treatment Agent into Contact with Tissue to Treat Sphincter Dysfunction	09/994,379	11/26/2001	6,802,841	10/12/2004
9222.16399-D	Graphical User Interface for Association with an Electrode Structure Deployed in Contact with a Tissue Region	09/305,123	5/4/1999	6,358,245	3/19/2002
9222.16399-E	Control Systems for Multiple Electrode Arrays to Create Lesions in Tissue Regions at or Near a Sphincter	09/304,733	5/4/1999	6,355,031	3/12/2002
9222.16399-G	Actively Cooled Electrode Assemblies for Forming Lesions to Treat Dysfunction in Sphincters and Adjoining Tissue Regions	09/304,784	5/4/1999	6,440,128	8/27/2002
9222.18377	Systems and Methods for Treating Hemorrhoids	10/653,448	9/2/2003	7,160,294	1/9/2007
9222.16399-H	Expandable Electrode Assemblies for Forming Lesions to Treat Dysfunction in Sphincters and Adjoining Tissue Regions	09/304,773	5/4/1999	6,258,087	7/10/2001
9222.16399-I	Assemblies to Visualize and Treat Sphincters and Adjoining Tissue Regions	09/304,770	5/4/1999	6,423,058	7/23/2002
9222.16785-CON DIV	Apparatus to Detect and Treat Aberrant Myoelectric Activity	11/651,750	1/10/2007		
9222.16792-CON DIV 2	GERD Treatment Apparatus and Method	12/315,423	12/3/2008		
9222.16399-A DIV DIV	Methods for Treating the Cardia of the Stomach	10/953,025	10/12/2004		
9222.16399-J	Vacuum Assisted Systems and Methods for Treating Sphincters and Adjoining Tissue Regions	09/304,743	5/4/1999	6,325,796	12/4/2001
9222.18601-CON	Systems and Methods for Treating Tissue Regions of the Body	11/114,592	4/26/2005	7,422,587	9/9/2008
9222.16565-CIP	Systems and Methods for Treating Dysfunctions in the Intestines and Rectum	09/556,169	4/21/2000	6,645,201	11/11/2003
9222.16632-CIP CON	Systems and Methods for Monitoring and Controlling Use of Medical Devices	09/974,750	10/10/2001	6,827,713	12/7/2004
9222.16632-CIP 2	Graphical User Interface for Monitoring and Controlling Use of Medical Devices	09/574,704	5/18/2000	6,464,689	10/15/2002
9222.16770-CON DIV 2 DIV	GERD Treatment Apparatus and Method	11/254,951	10/20/2005		
9222.16770-CON	Sphincter Treatment Apparatus	10/094,590	2/27/2002	6,589,238	7/8/2003
9222.16768	Sphincter Treatment Apparatus	09/026,316	2/19/1998	6,056,744	5/2/2000
9222.16782-CON	Method for Treating a Sphincter	09/973,467	10/9/2001	6,712,814	3/30/2004

SCHEDULE A  
Assignment from Respiratory Diagnostic, Inc. to Mederi Therapeutics, Inc.

9222.16783	Method to Treat Gastric Reflux via the Detection and Ablation of Gastro-Esophageal Nerves and Receptors	09/4/10,448	10/11/1999	6,405,732	6/18/2002
9222.16784	Method for Treating a Sphincter	09/026,296	2/19/1998	6,009,877	1/4/2000
9222.16786	Method to Detect and Treat Aberrant Myoelectric Activity	09/026,086	2/19/1998	6,006,755	12/28/1999
9222.16788	Method to Treat Esophageal Sphincters	09/032,367	2/27/1998	6,044,846	4/4/2000
9222.16790	Method to Treat Esophageal Sphincters	09/036,091	3/5/1998	6,092,528	7/25/2000
9222.16797	Thin Layer Ablation Apparatus	08/731,372	10/11/1996	5,964,755	10/12/1999
9222.16806	Systems and Method for Treating Tissue in the Crura	09/476,537	1/3/2000	6,547,776	4/15/2003
9222.16801-CON DIV	Systems and Methods for Treating Tissue Regions of the Body	12/231,924	9/8/2008		
9222.16822	Operative Devices that can be Removably Fitted on Catheter Bodies to Treat Tissue Regions in the Body	09/524,432	3/13/2000	6,544,226	4/8/2003
9222.16953	Sphincter Treatment Apparatus	09/235,060	12/0/1999	6,254,598	7/3/2001
9222.16953-CON	Sphincter Treatment Apparatus	09/776,140	2/2/2001	6,673,070	1/6/2004
9222.16783-CON DIV	Method to Treat Gastric Reflux via the Detection and Ablation of Gastro-Esophageal Nerves and Receptors	11/230,801	9/20/2005		
9222.16787-CON	Apparatus to Treat Esophageal Sphincters	09/921,356	8/2/2001	6,613,047	9/2/2003
9222.17412-CIP 2 DIV	Systems and Methods Employing a Guidewire for Positioning and Stabilizing External Instruments Deployed within the Body	11/366,650	3/2/2006		
9222.16399-A CIP DIV DIV	Systems and Methods for Applying a Selected Treatment Agent into Contact with Tissue to Treat Sphincter Dysfunction	12/313,845	11/25/2008		
9222.17590-DIV	Devices, Systems and Methods for Treating Tissue Regions of the Body	10/760,433	12/0/2004	7,179,257	2/20/2007
9222.16399-A CIP 2 DIV 2	Systems and Methods for Applying a Selected Treatment Agent into Contact with Tissue	11/906,457	10/2/2007		
9222.16632-CIP 2 DIV	Graphical User Interface for Monitoring and Controlling Use of Medical Devices	10/219,798	8/15/2002	6,994,704	2/7/2006
9222.17900-DIV 2 DIV	Surgical Techniques for Treating Gastro-Esophageal Reflux Disease	11/365,943	3/1/2006		
9222.17797-CON 2 DIV	Medical Instruments and Techniques for Treatment of Gastro-Esophageal Reflux Disease	10/375,505	2/27/2003	7,167,758	1/23/2007
9222.18377-DIV	Systems and Methods for Treating Hemorrhoids	11/650,079	1/5/2007		
9222.17590-CIP FOR CON	Devices, Systems and Methods for Treating Tissue Regions of the Body	11/055,450	2/9/2005		
9222.16789-CON DIV DIV	Apparatus to Treat Esophageal Sphincters	11/638,952	12/14/2006		
9222.16399-A CIP 2 DIV	Systems and Methods for Applying a Selected Treatment Agent into Contact with Tissue to Treat Disorders of the Gastrointestinal Tract	10/912,268	8/5/2004	7,293,563	11/13/2007
9222.16953-CON DIV	Sphincter Treatment Apparatus	10/728,684	12/5/2003	7,125,407	10/24/2006
9222.16769-CON 2 DIV 2	Method for Treating a Sphincter	12/291,626	11/12/2008		
9222.16953-CON DIV 2	Sphincter Treatment Apparatus	11/580,543	10/13/2006		
9222.16632-CIP 3 PCT US	Systems and Methods for Monitoring and Controlling Use of Medical Devices	10/070,465	3/7/2002	6,733,495	5/11/2004
9222.16399-A CIP 2	With Tissue to Treat Disorders of the Gastrointestinal Tract	09/994,375	11/26/2001	6,790,207	9/14/2004
9222.16565-CIP DIV	Systems and Methods for Treating Dysfunctions in the Intestines and Rectum	10/674,242	9/29/2003	7,056,320	6/6/2006
9222.16770-CON DIV 2	GERD Method	10/428,458	5/2/2003	6,971,395	12/6/2005
9222.16632-CIP 3 PCT US DIV DIV	Systems and Methods for Monitoring and Controlling Use of Medical Devices	11/638,956	12/14/2006		
9222.16399-A CIP DIV	Systems and Methods for Applying a Selected Treatment Agent into Contact with Tissue to Treat Sphincter Dysfunction	10/912,329	8/5/2004	7,458,378	12/2/2008
9222.16399-D CIP CON DIV	Unified Systems and Methods for Controlling Use and Operation of a Family of Different Treatment Devices	10/916,714	8/12/2004		
9222.16399-D CIP CON DIV CON	Unified Systems and Methods for Controlling Use and Operation of a Family of Different Treatment Devices	11/895,205	8/23/2007		
9222.16785-CON	Apparatus to Detect and Treat Aberrant Myoelectric Activity	09/924,935	8/8/2001	7,165,551	1/23/2007
9222.17590-DIV DIV	Devices, Systems, and Methods for Treating Tissue Regions of the Body	11/702,695	2/6/2007		



SCHEDULE A  
Assignment from Respiratory Diagnostic, Inc. to Mederi Therapeutics, Inc.

9222.17777-CON	RF Electrode Array for Low Rate Collagen Shrinkage in Capsular Shift Procedures and Methods of Use	10/141,273	5/6/2002	6,689,129	2/10/2004
9222.16566-CIP 2	Systems and Methods for Treating Dysfunctions in the Intestines and Rectum that Adapt to the Anatomic Form and Structure of Different Individuals	10/911,395	8/4/2004	7,329,254	2/12/2008
9222.16399-D CIP CON	Unified Systems and Methods for Controlling Use and Operation of a Family of Different Treatment Devices	10/212,311	8/5/2002	6,783,923	8/31/2004
9222.17590	Devices, Systems and Methods for Treating Tissue Regions of the Body	09/955,915	9/19/2001	6,699,243	3/2/2004
9222.16791-CON 2 CON	Sphincter Treatment Apparatus	13/175,471	7/6/2005		
9222.16632-CIP CON DIV 2	Systems and Methods for Monitoring and Controlling Use of Medical Devices	12/315,890	12/8/2008		
9222.16566-CIP DIV 2	A Method for Treating Fecal Incontinence	11/446,771	6/5/2006		
9222.17939	Systems and Methods for Treating Obesity and Other Gastrointestinal Conditions	10/291,862	11/8/2002	7,468,060	12/23/2008
9222.16399-D DIV 4	Graphical User Interface for Association with an Electrode Structure Deployed in Contact with a Tissue Region	12/001,091	12/10/2007		
9222.16783-CON	Method to Treat Gastric Reflux via the Detection and Ablation of Gastro-Esophageal Nerves and Receptors	10/156,505	5/28/2002	6,974,456	12/13/2005
9222.17797-CON 2 DIV 2	Medical Instruments and Techniques for Treatment of Gastro-Esophageal Reflux Disease	11/656,062	1/22/2007		
9222.19522	Treating Body Tissue by Applying Energy and Substances	09/285,575	4/2/1999	6,409,723	6/25/2002
9222.16399-B CON	Systems and Methods for Forming Composite Lesions to Treat Dysfunction in Sphincters and Adjoining Tissue Regions	10/155,294	5/24/2002	6,712,074	3/30/2004
9222.17939-DIV	Systems and Methods for Treating Obesity and Other Gastrointestinal Conditions				
9222.17412-CIP 1 DIV CON	Systems and Methods Employing a Bite Block Insert for Positioning and Stabilizing External Instruments Deployed within the Body	12/221,850	8/7/2008		
9222.17797	Medical Instruments and Techniques for Treatment of Urinary Incontinence	08/920,291	8/28/1997	5,957,920	9/28/1999
9222.16789-CON	Apparatus to Treat Esophageal Sphincters	09/971,085	10/4/2001	6,749,607	6/15/2004
9222.17412-CIP 1	Systems and Methods Employing a Bite Block and Insert for Positioning and Stabilizing External Instruments Deployed within the Body	10/017,685	12/14/2001	7,160,270	1/9/2007
9222.16769-CON 2	Method for Treating a Sphincter	10/254,471	9/25/2002	6,866,663	3/15/2005
9222.16769-CON 2 DIV	Method for Treating a Sphincter	11/079,697	3/14/2005	7,449,020	11/11/2008
9222.17797-CON	Medical Instruments and Techniques for Treatment of Gastro-Esophageal Reflux Disease	09/258,006	2/25/1999	6,197,022	3/6/2001
9222.18617-CON DIV	Surgical Weight Control Systems and Methods	12/006,908	1/7/2008		
9222.17800	Surgical Instruments and Techniques for Treating Gastro-Esophageal Reflux Disease	09/222,501	12/29/1998	6,740,082	5/25/2004
9222.16770-CON DIV	Geriatric Treatment Apparatus and Method	10/230,655	8/29/2002	6,846,312	1/25/2005
9222.18625-PROV CIP FOR CON	Systems and Methods for Treating Tissue Regions of the Body	12/287,404	10/9/2008		

PATENT

RECORDED: 12/31/2008

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