

# PATENT ASSIGNMENT

Electronic Version v1.1

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| SUBMISSION TYPE:   | NEW ASSIGNMENT                 |                |
| NATURE OF CONVEYANCE:  | ASSIGNMENT                     |                |
| CONVEYING PARTY DATA   |                                |                |
| Name   |                                | Execution Date |
| Casey V. Medina  |                                | 09/18/2008     |
| RECEIVING PARTY DATA   |                                |                |
| Name:  | Nellcor Puritan Bennett LLC    |                |
| Street Address:  | 6135 Gunbarrel Avenue          |                |
| City:  | Boulder                        |                |
| State/Country:   | COLORADO                       |                |
| Postal Code:   | 80301                          |                |
| PROPERTY NUMBERS Total: 1  |                                |                |
| Property Type  | Number                         |                |
| Application Number:  | 12237522                       |                |
| CORRESPONDENCE DATA  |                                |                |
| Fax Number:  | (203)492-8232                  |                |
| <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>           |                                |                |
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| Correspondent Name:  | Nellcor Puritan Bennett LLC    |                |
| Address Line 1:  | 60 Middletown Avenue           |                |
| Address Line 4:  | North Haven, CONNECTICUT 06473 |                |
| ATTORNEY DOCKET NUMBER:  | H-RM-01181 US                  |                |
| NAME OF SUBMITTER:   | Dave Schaumann                 |                |
| Total Attachments: 2<br>source=H-RM-01181assign#page1.tif<br>source=H-RM-01181assign#page2.tif |                                |                |

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PATENT  
REEL: 022146 FRAME: 0922

**ASSIGNMENT**

WHEREAS, I, the undersigned, Casey V. Medina of Westminster CO 80021, (hereinafter, individually referred to as "ASSIGNOR") is inventor of the subject matter which is claimed and for which a patent is sought based on the patent application entitled:

**Medical Sensor And Technique For Using The Same**

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

NOW THEREFORE, I, the ASSIGNOR, in consideration of my 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, do 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. \_\_\_\_\_, filed on \_\_\_\_\_.

U.S. Non-Provisional Application Serial No. 12/237,522, filed on SEPT. 25, 2008.

International Application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

(Signature): Casey V. Medina  
Name: Casey V. Medina

Date: 9/18/08

STATE OF COLORADO §  
§ ss.  
COUNTY OF BOULDER §

BEFORE ME, the undersigned authority, on this 18<sup>th</sup> day of September, 2008, personally appeared Casey V. Medina 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.

**CATHI DOHERTY**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**

MY COMMISSION EXPIRES (12-27-09)

Cathi Doherty  
Cathi Doherty, Notary