

PATENT ASSIGNMENT

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| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | ASSIGNMENT |
| CONVEYING PARTY DATA | |
| Name | Execution Date |
| Larry C. Heaton II | 02/04/2009 |
| Alex Keller | 02/04/2009 |
| Robert E. Lash | 02/04/2009 |
| Jimmy Jian-min Mao | 02/04/2009 |
| RECEIVING PARTY DATA | |
| Name: | ViOptix, Inc. |
| Street Address: | 47224 Mission Falls Court |
| City: | Fremont |
| State/Country: | CALIFORNIA |
| Postal Code: | 94539 |
| PROPERTY NUMBERS Total: 1 | |
| Property Type | Number |
| Application Number: | 12365716 |
| CORRESPONDENCE DATA | |
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| ATTORNEY DOCKET NUMBER: | VIOPP042 |
| NAME OF SUBMITTER: | Melvin D. Chan |
| Total Attachments: 2 | |

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, **Larry C. Heaton II**, residing at 1142 Germano Way, Pleasanton, California 94566; **Alex Keller**, residing at 29 Cherrywood Lane, Manhasset, New York 11030; **Robert E. Lash**, residing at 567 Canyon Road, Redwood City, California 94062; and **Jimmy Jian-Min Mao**, residing at 37447 Joseph Street, Fremont, California 94536, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **Retractor System with Closed Loop Control**

Date(s) of execution of Declaration:

Filing Date:

Application No.:

WHEREAS, **ViOptix, Inc.**, a Delaware corporation having a place of business at 47224 Mission Falls Court, Fremont, California 94539, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same.

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title, and interest in and to the invention and application and to all foreign counterparts (including patent, utility model, and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title, and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any provisional, nonprovisional, division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation, or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge, and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Aka Chan LLP, 900 Lafayette Street, Suite 710, Santa Clara, California, 95050, to insert herein above the application number and filing date of the application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

/ **Larry C. Heaton II** /

February 4, 2009

Larry C. Heaton II

Date

/ **Alex Keller** /

February 4, 2009

Alex Keller

Date

/ **Robert E. Lash** /

February 4, 2009

Robert E. Lash

Date

/ **Jimmy Jian-min Mao** /

February 4, 2009

Jimmy Jian-min Mao

Date