

# PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
<b>CONVEYING PARTY DATA</b>											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Name</th> <th style="width: 30%;">Execution Date</th> </tr> </thead> <tbody> <tr> <td>Gary Milne</td> <td>11/19/2010</td> </tr> <tr> <td>Kirk Hensley</td> <td>11/22/2010</td> </tr> <tr> <td>Peter R. Doyle</td> <td>11/23/2010</td> </tr> <tr> <td>Gardner Kimm</td> <td>11/23/2010</td> </tr> </tbody> </table>		Name	Execution Date	Gary Milne	11/19/2010	Kirk Hensley	11/22/2010	Peter R. Doyle	11/23/2010	Gardner Kimm	11/23/2010
Name	Execution Date										
Gary Milne	11/19/2010										
Kirk Hensley	11/22/2010										
Peter R. Doyle	11/23/2010										
Gardner Kimm	11/23/2010										
<b>RECEIVING PARTY DATA</b>											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">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
Name:	Nellcor Puritan Bennett LLC										
Street Address:	6135 Gunbarrel Avenue										
City:	Boulder										
State/Country:	COLORADO										
Postal Code:	80301										
<b>PROPERTY NUMBERS Total: 1</b>											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Property Type</th> <th style="width: 70%;">Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>12955368</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	12955368						
Property Type	Number										
Application Number:	12955368										
<b>CORRESPONDENCE DATA</b>											
<p>Fax Number: (303)305-2224</p> <p><i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i></p> <p>Phone: 303-305-2400</p> <p>Email: ip.legal@covidien.com</p> <p>Correspondent Name: Nellcor Puritan Bennett LLC</p> <p>Address Line 1: 6135 Gunbarrel Avenue</p> <p>Address Line 2: IP Legal</p> <p>Address Line 4: Boulder, COLORADO 80301</p>											
ATTORNEY DOCKET NUMBER:	H-RM-02215										
NAME OF SUBMITTER:	Matthew A. Anderson										
Total Attachments: 5											

CH \$40.00 12955368

**501459728**

**PATENT**  
**REEL: 025917 FRAME: 0112**

source=HRM02215ASSGNX#page1.tif  
source=HRM02215ASSGNX#page2.tif  
source=HRM02215ASSGNX#page3.tif  
source=HRM02215ASSGNX#page4.tif  
source=HRM02215ASSGNX#page5.tif

## A S S I G N M E N T

WHEREAS, I (we), the undersigned

1. Gary Milne of 590 Spruce Circle, Louisville, CO 80027;
2. Kirk Hensley of 7105 Timberview Drive, Dublin, OH 43017;
3. Peter R. Doyle of 1948 Casablanca Court, Vista, CA 92081;
4. Gardner Kimm of 4319 Point Reyes Court, Carlsbad, CA 92010;

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

### "VENTILATOR-INITIATED PROMPT REGARDING DETECTION OF DOUBLE TRIGGERING DURING A VOLUME-CONTROL BREATH TYPE"

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

NOW THEREFORE, I (we), the ASSIGNOR(S), in consideration of my (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, do(es) 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. 12/955368, filed on November 29, 2010


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

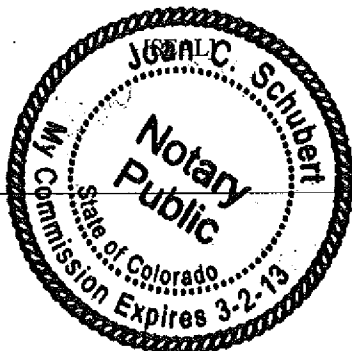
(Signature):   
Name: **Gary Milne**

Date: 11/19/2010

STATE OF Colorado §  
COUNTY OF Boulder § ss.  
§

BEFORE ME, the undersigned authority, on this 19<sup>th</sup> day of NOVEMBER, 2010, personally appeared **Gary Milne** known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

  
Notary or Consular Officer

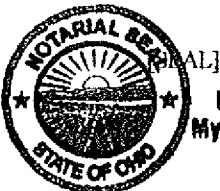


(Signature): [Signature]  
Name: **Kirk Hensley**

Date: 11/22/10

STATE OF Ohio §  
COUNTY OF Franklin § ss.  
§

BEFORE ME, the undersigned authority, on this 22nd day of November, 2010, personally appeared **Kirk Hensley** known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

 **BOBI KELLEY**  
Notary Public - State of Ohio  
My Comm. Expires Feb. 2, 2013

[Signature]  
Notary or Consular Officer

(Signature): \_\_\_\_\_  
Name: **Peter R. Doyle**

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

STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ § ss.  
§

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, personally appeared **Peter R. Doyle** known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

[SEAL] \_\_\_\_\_  
Notary or Consular Officer

(Signature): \_\_\_\_\_

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

Name: **Kirk Hensley**

STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ § ss.  
§

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, personally appeared **Kirk Hensley** known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

[SEAL]

\_\_\_\_\_  
Notary or Consular Officer

(Signature): \_\_\_\_\_

Date: 11/23/2010

Name: **Peter R. Doyle**

STATE OF California §  
COUNTY OF San Diego § ss.  
§

BEFORE ME, the undersigned authority, on this 23<sup>rd</sup> day of NOVEMBER, 2010, personally appeared **Peter R. Doyle** known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

[SEAL]

\_\_\_\_\_  
Notary or Consular Officer

WALTER E. PUESCHEL  
Commission # 1795955  
Notary Public - California  
San Diego County  
My Comm. Expires Jul 9, 2012

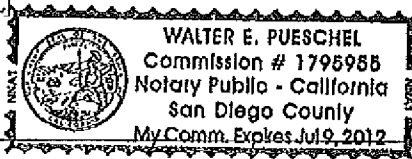
(Signature): *Gardner Kimm*  
Name: **Gardner Kimm**

Date: 11-23-2010

STATE OF California ss.  
COUNTY OF San Diego ss.

BEFORE ME, the undersigned authority, on this 23rd day of NOVEMBER, 2010, personally appeared Gardner Kimm known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

[SEAL]



*Walter E. Pueschel*  
Notary or Consular Officer

