

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
VivoMetrics, Inc.	04/30/2010
RECEIVING PARTY DATA	
Name:	Textronics, Inc.
Street Address:	World of Sports, Adi-Dassler-Strasse 1,
City:	Herzogenaurach
State/Country:	GERMANY
Postal Code:	D-91074
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	11758581
CORRESPONDENCE DATA	
Fax Number:	(202)371-2540
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
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Email:	kconklin@skgf.com
Correspondent Name:	Sterne, Kessler, Goldstein & Fox PLLC
Address Line 1:	1100 New York Avenue, NW
Address Line 4:	Washington, DISTRICT OF COLUMBIA 20005
ATTORNEY DOCKET NUMBER:	3483.0160001
NAME OF SUBMITTER:	Kyle E. Conklin
Total Attachments: 27 source=34830160001_Vivo_assignment#page1.tif source=34830160001_Vivo_assignment#page2.tif source=34830160001_Vivo_assignment#page3.tif source=34830160001_Vivo_assignment#page4.tif source=34830160001_Vivo_assignment#page5.tif	

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INTELLECTUAL PROPERTY ASSIGNMENT

THIS ASSIGNMENT (the "Assignment") is made effective as of the 30th day of April, 2010, by and among VivoMetrics, Inc., a Delaware corporation ("Assignor"), and Textronics, Inc. d/b/a adidas Wearable Sports Electronics, a Delaware corporation ("Assignee"). Each capitalized term not otherwise defined herein shall have the meaning ascribed to such term in the Purchase Agreement (as defined below).

WHEREAS, pursuant to that certain Asset Purchase Agreement, dated as of March 29, 2010, by and between Assignor and Assignee (the "Purchase Agreement") and that certain Order Approving the Sale of Assets, Case No. ND 09-bk-14307-RR, dated April 27, 2010 and entered by the United States Bankruptcy Court, Central District of California, Northern Division (the "Order"), Assignor has agreed to sell, convey, transfer and assign to Assignee all of the intellectual property assets of Assignor (the "Seller Intellectual Property") including but not limited to the Seller Intellectual Property set forth on Exhibit A hereto, and Assignee has agreed to purchase from Assignor such Seller Intellectual Property; and

WHEREAS, Assignee wishes to acquire all of Assignor's rights in and to the Seller Intellectual Property and the goodwill associated therewith as contemplated by the Purchase Agreement and the Order.

NOW THEREFORE, for the consideration paid to Assignor pursuant to the Purchase Agreement and the Order, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Consistent with the Purchase Agreement and Order, Assignor hereby assigns, transfers, and conveys to Assignee all rights, title, and interests in and to all Seller Intellectual Property including but not limited to the Seller Intellectual Property set forth on Exhibit A hereto and all goodwill associated with each of the Seller Intellectual Property, including all of Assignor's intellectual property rights in fictional business names and trade names, whether as a trade name or otherwise, the right to recover for damages and profits, and all other remedies for past infringements thereof.

2. Assignor represents and warrants that it has full power, authority and legal capacity to enter into this Assignment and to consummate the transaction contemplated in this Assignment.

3. Assignor hereby covenants and agrees with Assignee, its successors and assigns, that from time to time after the delivery of this instrument, at Assignee's request and without further consideration, Assignor will execute and deliver to Assignee such other and further instruments of transfer, assignment, conveyance and consent and all such notices, releases, confirmation, powers of attorney, acquittances and other documents and will do or cause to be done all and every such further act as may be necessary to transfer, assign and convey to and vest in Assignee all Assignor's rights, privileges, claims and benefits in, to the Seller Intellectual Property hereby conveyed, transferred, assigned and delivered to Assignee or intended so to be.

4. Assignor hereby appoints Assignee and its successors and assigns as Assignor's true and lawful attorney in fact, and hereby authorizes Assignee to execute, on behalf of Assignor, those instruments necessary for the transfer and assignment of the Seller Intellectual Property to Assignee. Such power of attorney being coupled with an interest, it shall be irrevocable.

5. This Agreement may be signed in any number of counterparts, each of which will be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument and delivered in persons. Signatures transmitted electronically by pdf file or facsimile will be binding for all purposes hereof.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this Assignment as of the day and year first written above.

ASSIGNOR:
VIVOMETRICS, INC.

By: H.R. BL
Name: HOWARD R. BAKER
Title: President/CEO

ASSIGNEE:
TEXTRONICS, INC.
D/B/A ADIDAS WEARABLE SPORTS
ELECTRONICS

By: _____
Stacey Burr, President

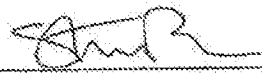
[Signature Page to Intellectual Property Assignment]

IN WITNESS WHEREOF, the parties have executed this Assignment as of the day and year first written above.

ASSIGNOR:
VIVOMETRICS, INC.

By: _____
Name: _____
Title: _____

ASSIGNEE:
TEXTRONICS, INC.
D/B/A ADIDAS WEARABLE SPORTS
ELECTRONICS

By:  _____
Stacey Burr, President

(Signature Page to Intellectual Property Assignment)

EXHIBIT A
SELLER INTELLECTUAL PROPERTY

Attached.

US2008 1264013.1

April 27, 2010

VIVOMETRICS, INC.

U.S. Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
6,783,498	Method and System for Extracting Cardiac Parameters from Plethysmographic Signals	85167-67200-USU	02/29/2012	11/13/2022	Term extended 231 days
6,551,252	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67400-USU	10/22/2010	04/17/2020	
7,207,948	Systems and Methods for Monitoring Cough During Sleep	85167-72500-USU	10/24/2010	06/24/2024	
6,047,203	Physiologic Signs Feedback System	85167-73200-USU	10/04/2011	03/17/2017	
7,267,652	Systems and Methods for Respiratory Event Detection	85167-73300-USU	03/11/2011	01/26/2024	Term extended 291 days
6,341,504	Composite Elastic and Wire Fabric for Physiological Monitoring Apparel	85167-73400-USU	07/29/2013	01/31/2021	
6,015,388	Method for Analyzing Breath Waveforms as to Their Neuromuscular Respiratory Implications	85167-73700-USU	07/18/2011	03/17/2017	

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VIVOMETRICS, INC.

U.S. Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
5,331,968	Inductive Plethysmographic Transducers and Electronic Circuitry Therefor	85167-74890-USX	—	07/26/2011	
7,604,603	Method and System for Extracting Cardiac Parameters from Plethysmographic Signals	85167-67229-USU	04/20/2013	10/28/2020	Term adjusted 514 days per Terminal Disclaimer
5,588,425	Method and Apparatus for Discriminating Between Valid and Artifactual Pulse Waveforms in Pulse Oximetry	85167-73900-USX	—	12/31/2013	
6,413,225	Quantitative Calibration of Breathing Monitors with Transducers Placed on Both Rib Cage and Abdomen	85167-74400-USU	01/02/2014	06/18/2019	
7,670,295	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67490-USU	09/02/2013	04/17/2020	

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VIVOMETRICS, INC.

U.S. Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
11/233,317	Improved Sensors for Inductive Plethysmographic Monitoring Applications and Apparel Using Same	85167-04000-USU			Response to Office Action Due: 06/30/2010
11/492,484	Computer Interfaces Including Physiologically Guided Avatars	85167-04100-USU			
11/200,674	Method and System for Limiting Interference in Electroencephalographic Signals	85167-04200-USU			
11/627,198	System and Method for Identity Confirmation using Physiologic Biometrics to Determine a Physiologic Fingerprint	85167-04300-USU			
11/733,046	Physiological Signal Processing Devices and Associated Processing Methods	85167-04500-USU			
11/682,601	Monitoring and Quantification of Smoking Behaviors	85167-04700-USU			

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VIVOMETRICS, INC.

U.S. Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
11/764,527	Automatic and Ambulatory Monitoring of Congestive Heart Failure Patients	85167-05100-USU			
11/925,109	Identification of Emotional States Using Physiological Responses	85167-05200-USU			
11/407,034	Systems and Methods for Non-Invasive Physiological Monitoring of Animals	85167-24300-USU			
11/932,866	Systems and Methods for Non-Invasive Physiological Monitoring of Animals	85167-24399-USU	Issue Fee Due: 06/09/2010		
11/437,335	Methods and Systems for Determining Dynamic Hyperinflation	85167-24500-USU			
11/753,337	Method and System for Extracting Cardiac Parameters from Plethysmographic Signals	85167-67290-USU			

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VIVOMETRICS, INC.

U.S. Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
10/354,212	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67490-USX			
11/373,822	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67491-USX			
11/357,722	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67492-USX			
11/503,350	Systems and Methods for Monitoring Subjects in Potential Physiological distress	85167-71790-USU			
11/739,527	Systems and Methods for Monitoring Cough	85167-72590-USU			
11/835,913	Systems and Methods for Respiratory Event Detection	85167-73399-USU			

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VIVOMETRICS, INC.

U.S. Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
10/991,877	Method and System for Processing Data from Ambulatory Physiological Monitoring	85167-74000-USU			
11/586,026	Band-Like Garment for Physiological Monitoring	85167-75200-USU			
12/231,692	Method and System for Measuring Pulmonary Ventilation	FDM-02-002			
PCT/US09/005066	Method and System for Measuring Pulmonary Ventilation	VM-03-002			National Phase Filing Due: 03/05/2011
61/275,574	Noninvasive Method and System for Monitoring Physiological Characteristics	VM-02-002			Conversion Due: 09/01/2010
61/275,575	Noninvasive Method and System for Monitoring Physiological Characteristics	VM-02-003			Conversion Due: 09/01/2010

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VIVOMETRICS, INC.

U.S. Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
61/275,576	Method and System for Limiting Interference in Magnetometer Fields	VM-02-004			Conversion Due: 09/01/2010
61/275,633	Physiological Monitoring Garment	VM-02-005			Conversion Due: 09/01/2010
61/275,634	Method and System for Interpretation and Analysis of Physiological and Contextual Information	VM-02-006			Conversion Due: 09/01/2010
61/275,635	A Physiological Database for Population Monitoring	VM-02-007			Conversion Due: 09/01/2010
61/275,586	Non-Garment Based Method and System for Monitoring Physiological Characteristics	VM-02-008			Conversion Due: 09/01/2010
61/275,587	Multimodal Method and System for Transmitting Physiological and Contextual Information	VM-02-009			Conversion Due: 09/01/2010

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VIVOMETRICS, INC.
European Community Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
0969763	Method for Analyzing Breath Waveforms as to Their Neuromuscular Respiratory Implications	85167-73702-FRU	03/17/2010	03/17/2018	Based on Pat. No. EP 0 969 763 B1
06788359.5	Computer Interfaces Including Physiologically Guided Avatars	85167-04102-EPU	07/31/2010		Response to Action Due: 08/04/2010
07709881.2	System and Method for Identity Confirmation Using Physiologic Biometrics to Determine a Physiologic Fingerprint	85167-04302-EPU	01/31/2011		
07760384.3	Physiological Signal Processing Devices and Associated Processing Methods	85167-04502-EPU	04/30/2011		
07752409.8	Monitoring and Quantification of Smoking Behaviors	85167-04702-EPU	03/31/2010		
07798146.2	System and Method for Snore Detection and Confirmation	85167-05002-EPU	06/30/2010		

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VIVOMETRICS, INC.

European Community Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
07798754.3	Automatic and Ambulatory Monitoring of Congestive Heart Failure Patients	85167-05102-EPU	06/30/2010		
06750711.1	Systems and Methods for Non-Invasive Physiological Monitoring of Animals	85167-24302-EPU	04/30/2011		Response to Examination Report Due: 05/23/2010
06784447.2	Methods and Systems for Determining Dynamic Hyperinflation	85167-24502-EPU	05/31/2010		Response to Office Action Due: 08/11/2010
05761157.6	Systems and Methods for Real-Time Physiological Monitoring	85167-71702-EPU	06/30/2010		Response to Office Action Due: 05/09/2010
05763148.3	Systems and Methods for Monitoring Cough	85167-72502-EPU	06/30/2010		
04759405.6	Systems and Methods for Respiratory Event Detection	85167-73302-EPU	04/30/2011		

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VIVOMETRICS, INC.

European Community Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
04811390.6	Method and System for Processing Data from Ambulatory Physiological Monitoring	85167-74002-EPU	11/30/2010		Response to Office Action Due: 05/12/2010
06851172.4	Band-Like Garment for Physiological Monitoring	85167-75202-EPU	10/31/2010		
01927119.6	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67402-EPU	04/30/2011		
02704284.5	Composite Elastic and Wire Fabric for Physiological Monitoring Apparel	85167-73402-EPU	01/31/2011		
03745600.1	Method and System for Extracting Cardiac Parameters from Plethysmographic Signals	85167-67202-EPU	03/31/2011		
098914251.8	Physiologic Signs Feedback System	85167-73202-EPU	03/31/2011		Grant/Printing Fees Due: 07/01/2010
05798613.5	Improved Sensors for Inductive Plethysmographic Monitoring Applications and Apparel Using Same	85167-04002-EPU	09/30/2010		

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VIVOMETRICS, INC.

European Community Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
03107102.7	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67454-HKU	10/02/2010		
06100202.8	Method and System for Extracting Cardiac Parameters from Plethysmographic Signals	85167-____-HKU	01/05/2012		

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VIVOMETRICS, INC.

Japan Patents and Patent Applications

Pat/App! No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2001-575884	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67403-JPU			Response to Office Action Due: 05/26/2010
2008-507838	Systems and Methods for Non-Invasive Physiological Monitoring of Non-Human Animals	85167-24303-JPU			
2007-516769	Systems and Methods for Real-Time Physiological Monitoring	85167-71703-JPU			
2007-518293	Systems and Methods for Monitoring Cough	85167-72503-JPU			
2006-541365	Method and System for Processing Data from Ambulatory Physiological Monitoring	85167-74003-JPU			
2008-524041	Computer Interfaces Including Physiologically Guided Avatars	85167-04103-JPU			

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VIVOMETRICS, INC.

Japan Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
Hei 10(1998)-540729	Physiological Signs Feedback System	85167-73203-JPU			
Hei 10(1998)-540730	Means for Analyzing Breath Waveforms as to Their Neuromuscular Respiratory Implications	85167-73703-JPU			Appeal Due: 05/12/2010
2006-509897	Systems and Methods for Respiratory Event Detection	85167-73303-JPU			Response to Office Action Due: 06/27/2010
2009-516681	Automatic and Ambulatory Monitoring of Congestive Heart Failure Patients	85167-05103-JPU			Request for Examination Due: 06/19/2010
2009-505570	Physiological Signal Processing Devices and Associated Processing Methods	85167-04503-JPU			
2008-512588	Methods and Systems for Determining Dynamic Hyperinflation	85167-24503-JPU			
2008-558358	Monitoring and Quantification of Smoking Behaviors	85167-04703-JPU			

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VIVOMETRICS, INC.

Japan Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2009-514506	System and Method for Snore Detection and Confirmation	85167-05003-JPU			Request for Examination Due: 06/06/2010
2008-538166	Band-Like Garment for Physiological Monitoring	85167-75203-JPU			

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VIVOMETRICS, INC.

Australia Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2003225992	Method and System for Extracting Cardiac Parameters from Plethysmographic Signals	85167-83100-AUU	03/24/2011	03/24/2023	
2002237976	Composite Elastic and Wire Fabric for Physiological Monitoring Apparel	85167-83102-AUU	01/30/2011	01/30/2022	
2001253599	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-83104-AUU	04/17/2011	03/24/2023	
2007257934	System and Method for Snore Detection and Confirmation	85167-05007-AUU	06/06/2012		
2007261061	Automatic and Ambulatory Monitoring of Congestive Heart Failure Patients	85167-05107-AUU	06/19/2012		
2006236306	Systems and Methods for Non-Invasive Physiological Monitoring of Non-Human Animals	85167-24307-AUU	02/07/2011		

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VIVOMETRICS, INC.

Australia Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2006251609	Methods and Systems for Determining Dynamic Hyperinflation	85167-24507-AUU	03/02/2011		
2005265092	Systems and Methods for Real-Time Physiological Monitoring	85167-71707-AUU	06/17/10		
2005258237	Systems and Methods for Monitoring Cough	85167-72507-AUU			
2004229488	Systems and Methods for Respiratory Event Detection	85167-73307-AUU	09/24/2010		
2006342788	Band-Like Garment for Physiological Monitoring	85167-75207-AUU	10/26/2011		Request for Examination Due: 08/31/2010
2005286769	Improved Sensors for Inductive Plethysmographic Monitoring Applications and Apparel Using Same	85167-04007-AUU			

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VIVOMETRICS, INC.

Australia Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2007238209	Physiological Signal Processing Devices and Associated Processing Methods	85167-04507-AUU	04/10/2012		
2007223995	Monitoring and Quantification of Smoking Behaviors	85167-04707-AUU	03/07/2012		

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VIVOMETRICS, INC.

Canada Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2,580,246	Inductive Plethysmographic Sensors, Monitors, and Apparel	85167-04004-CAU	09/21/2010		
2,616,849	Computer Interfaces Including Physiologically Guided Avatars	85167-04104-CAU	07/25/2010		Request for Examination Due: 07/25/2011
2,641,305	System and Method for Identity Confirmation Using Physiologic Biometrics to Determine a Physiologic Fingerprint	85167-04304-CAU	01/29/2011		Request for Examination Due: 01/29/2012
2,648,693	Physiological Signal Processing Devices and Associated Processing Methods	85167-04504-CAU	04/10/2011		Request for Examination Due: 04/10/2012
2,645,027	Monitoring and Quantification of Smoking Behaviors	85167-04704-CAU	03/07/2011		Request for Examination Due: 03/07/2012
2,655,303	System and Method for Snore Detection and Confirmation	85167-05004-CAU	06/06/2010		Request for Examination Due: 06/06/2012

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VIVOMETRICS, INC.

Canada Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2,656,062	Automatic and Ambulatory Monitoring of Congestive Heart Failure Patients	85167-05104-CAU	06/19/2010		Request for Examination Due: 06/19/2012
2,604,969	Systems and Methods for Non-Invasive Physiological Monitoring of Non-Human Animals	85167-24304-CAU	04/19/2011		Request for Examination Due: 04/19/2011
2,606,699	Methods and Systems for Determining Dynamic Hyperinflation	85167-24504-CAU	05/19/2010		Request for Examination Due: 05/19/2011
2,574,759	Systems and Methods for Real-Time Physiological Monitoring	85167-71704-CAU	06/17/2010		Request for Examination Due: 06/17/2010
2,578,684	Systems and Methods for Monitoring Cough	85167-72504-CAU	06/24/2010		Request for Examination Due: 06/24/2010
2,405,848	Systems and Methods for Monitoring Cough	85167-72574-CAU	04/17/2011		

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VIVOMETRICS, INC.

Canada Patents and Patent Applications

Pat/App'l No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
2,522,006	Systems and Methods for Respiratory Event Detection	85167-73304-CAU	04/09/2011		Request for Examination Due: 04/09/2011
2,545,881	Method and System for Processing Data from Ambulatory Physiological Monitoring	85167-74004-CAU	11/18/2010		
2,625,267	Band-Like Garment for Physiological Monitoring	85167-75204-CAU	10/26/2010		Request for Examination Due: 10/26/2011
2,487,393	Method and System for Extracting Cardiac Parameters from Plethysmographic Signals	85167-67204-CAU	03/24/2011		

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VIVOMETRICS, INC.

India Patents and Patent Applications

Pat/App No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
747/CHENP/2008	Computer Interfaces Including Physiologically Guided Avatars	85167-04142-INU			
1974/MUMNP/2008	Monitoring and Quantification of Smoking Behaviors	85167-04742-INU			

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VIVOMETRICS, INC.**Israel Patents and Patent Applications**

Pat/App# No.	Title	Docket Ref	Fee Due Date	Expiry Date	Comments
152300	Systems and Methods for Ambulatory Monitoring of Physiological Signs	85167-67441-ILU	04/17/2011	04/17/2021	
131592	Physiological Signs Feedback System	85167-73241-ILU	03/17/2012	03/18/2018	
131593	Method for Analyzing Breath Waveforms as to Their Neuromuscular Respiratory Implications	85167-73741-ILU	03/17/2012	03/18/2018	
171348	Systems and Methods for Respiratory Event Detection	85167-73341-ILU			