

## PATENT ASSIGNMENT

Electronic Version v1.1  
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SUBMISSION TYPE:	NEW ASSIGNMENT						
NATURE OF CONVEYANCE:	ASSIGNMENT						
CONVEYING PARTY DATA							
<table border="1"> <thead> <tr> <th>Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>Kevin Frank</td> <td>05/14/2012</td> </tr> <tr> <td>Jason A. Case</td> <td>05/18/2012</td> </tr> </tbody> </table>		Name	Execution Date	Kevin Frank	05/14/2012	Jason A. Case	05/18/2012
Name	Execution Date						
Kevin Frank	05/14/2012						
Jason A. Case	05/18/2012						
RECEIVING PARTY DATA							
Name:	Vivant Medical, Inc.						
Street Address:	5920 Longbow Drive						
City:	Boulder						
State/Country:	COLORADO						
Postal Code:	80301-3299						
PROPERTY NUMBERS Total: 1							
<table border="1"> <thead> <tr> <th>Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>13477279</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	13477279		
Property Type	Number						
Application Number:	13477279						
CORRESPONDENCE DATA							
Fax Number:	(303)581-6632						
Phone:	303-530-6138						
Email:	ebd.iplegal@covidien.com						
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>							
Correspondent Name:	TYCO Healthcare Group LP Attn: IP Legal						
Address Line 1:	5920 Longbow Drive						
Address Line 2:	Mail Stop A36						
Address Line 4:	Boulder, COLORADO 80301-3299						
ATTORNEY DOCKET NUMBER:	H-EB-00362 (1544-213)						
NAME OF SUBMITTER:	Stephen B. Perkins						
Total Attachments: 3 source=FinalAssignment#page1.tif source=FinalAssignment#page2.tif source=FinalAssignment#page3.tif							

CH \$40.00 13477279

For:  U.S. and/or  Foreign Rights  
For:  U.S. Application or  U.S. Patent  
By :  Inventor(s) or  Present Owner

**ASSIGNMENT OF INVENTION**

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,  
**ASSIGNORS:**

**Kevin Frank  
Jason A. Case**

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on: \_\_\_\_\_  
Reel \_\_\_\_\_  
Frame \_\_\_\_\_

hereby sells, assigns and transfers to

ASSIGNEE:

Vivant Medical, Inc.  
(Type or print name of ASSIGNEE)  
Address  
5920 Longbow Drive  
Boulder, CO 80301-3299  
U.S.A.  
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

the entire right, title and interest

an undivided \_\_\_\_\_ percent ( \_\_\_\_\_ %) interest for the United States and its territorial possessions

and in all foreign countries, including all rights to claim priority, the right to sue for present, past and future infringement, in the United States, its territorial possessions, and in all foreign countries, including all treaty and convention rights in and to the invention and any and all improvements entitled:

**FIDUCIAL TRACKING SYSTEM**

(title of invention)

and which is found in

- (a)  U.S. patent application executed on even date herewith.
- (b)  U.S. patent application executed on \_\_\_\_\_.
- (c)  U.S. application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
- (d)  U.S. provisional application No. \_\_\_\_\_  
filed on \_\_\_\_\_.
- (e)  U.S. Patent No. \_\_\_\_\_ issued \_\_\_\_\_.
- (f)  PCT application No. \_\_\_\_\_  
filed on \_\_\_\_\_.

- A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.
- (g)  and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, continuation-in-part, divisional, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof

ASSIGNORS hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNORS hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all such Letters Patent to ASSIGNEE:

ASSIGNORS further covenants to promptly provide all pertinent facts and documents known and accessible to ASSIGNORS relating to said invention and said Letters Patent and legal equivalents; to testify as to the same in any interference, litigation or proceeding related thereto; to execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patents which may be granted therefor in said ASSIGNEE, its successors, assigns or other legal representatives; to execute any additional or divisional applications for patents for said invention, or any part or parts thereof, and for the reissue of any Letters Patents to be granted therefor; and to make all rightful oaths and do all lawful acts requisite for procuring the same or for aiding therein, all without further compensation, but at the sole expense of ASSIGNEE, its successors, assigns, or other legal representatives.

ASSIGNORS hereby grants ASSIGNEE and Assignee's attorneys the power to insert the Serial No. and/or filing date of the above-described application(s) after such information becomes known to them.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal.

**WARNING:** Date of signing must be the **same as** the date of execution of the application if item (a) was checked above.

Kevin Frank  
Kevin Frank

5-14-12  
Dated

Jason A. Case  
Jason A. Case

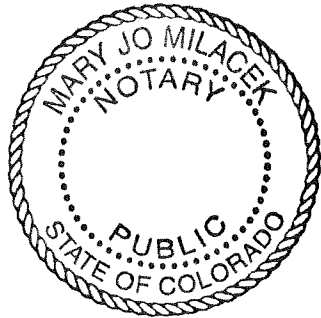
5-18-12  
Dated

Notarization or Legalization Page Added.

State of Colorado )  
 ) ss  
County of Boulder )

Before me this 14 day of May 2012,

personally appeared **Kevin Frank** to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.



Mary Jo Milacek  
Notary Public

AFFIX SEAL

My Commission Expires 02/28/2015

State of Colorado )  
 ) ss  
County of Boulder )

Before me this 18 day of May 2012,

personally appeared **Jason A. Case** to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.



Mary Jo Milacek  
Notary Public

AFFIX SEAL

My Commission Expires 02/28/2015