

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>Gary Milne</td> <td>06/28/2012</td> </tr> <tr> <td>David Hyde</td> <td>06/28/2012</td> </tr> </tbody> </table>		Name	Execution Date	Gary Milne	06/28/2012	David Hyde	06/28/2012
Name	Execution Date						
Gary Milne	06/28/2012						
David Hyde	06/28/2012						
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							
<table border="1"> <thead> <tr> <th>Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>13544462</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	13544462		
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Application Number:	13544462						
CORRESPONDENCE DATA							
Fax Number:	(303)357-1671						
Phone:	303.357.1204						
Email:	dsmith@merchantgould.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:	Marianne R. Timm-Schreiber						
Address Line 1:	1050 17th St.						
Address Line 2:	Suite 1950						
Address Line 4:	Denver, COLORADO 80265						
ATTORNEY DOCKET NUMBER:	40572.0191US01 H-RM-02634						
NAME OF SUBMITTER:	Marianne R. Timm-Schreiber						
<p>Total Attachments: 5</p> <p>source=40572_0191US01_Assgnmnt_7_9_12#page1.tif</p> <p>source=40572_0191US01_Assgnmnt_7_9_12#page2.tif</p> <p>source=40572_0191US01_Assgnmnt_7_9_12#page3.tif</p> <p>source=40572_0191US01_Assgnmnt_7_9_12#page4.tif</p> <p>source=40572_0191US01_Assgnmnt_7_9_12#page5.tif</p>							

OP \$40.00 13544462

ASSIGNMENT

WHEREAS, I (we), the undersigned

1. Gary Milne, 590 Spruce Circle, Louisville, CO 80027;
2. David Hyde, 4757 Marblehead Bay Drive, Oceanside, CA 92057;

(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:

"SYSTEMS AND METHODS FOR MISSED BREATH DETECTION AND INDICATION"

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 **Nelcor 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.

<u>Additional Patent Application Information</u>	
U.S. Provisional Application Serial No. _____,	filed on _____.
U.S. Non-Provisional Application Serial No. _____,	filed on _____.
International Application Serial No. _____,	filed on _____.

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

Date: June 28, 2012

STATE OF _____	§
	§ ss.
COUNTY OF _____	§
BEFORE ME, the undersigned authority, on this _____ day of _____, 2012, 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.	
[SEAL]	_____ Notary or Consular Officer

ACKNOWLEDGMENT

State of California
County of San Diego

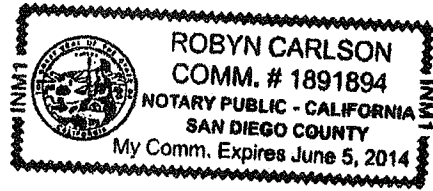
On June 28, 2012 before me, Robyn Carlson, notary public
(insert name and title of the officer)

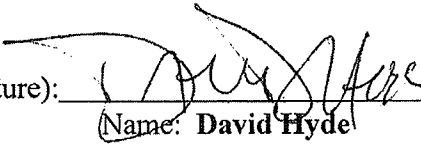
personally appeared Gary Milne
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~(is/are)~~
subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in
~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Robyn Carlson (Seal)



(Signature): 
Name: David Hyde

Date: 6/28/12

STATE OF _____ §
 COUNTY OF _____ § ss.
 COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this _____ day of _____, 2012, personally appeared **David Hyde** 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

ACKNOWLEDGMENT

State of California
County of San Diego

On June 28, 2012 before me, Robyn Carlson, notary public
(insert name and title of the officer)

personally appeared David Hude
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Robyn Carlson (Seal)

