

## PATENT ASSIGNMENT

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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>David Rich</td> <td>08/31/2012</td> </tr> <tr> <td>Andrew Kersey</td> <td>08/31/2012</td> </tr> <tr> <td>Matt Culen</td> <td>08/31/2012</td> </tr> </tbody> </table>		Name	Execution Date	David Rich	08/31/2012	Andrew Kersey	08/31/2012	Matt Culen	08/31/2012
Name	Execution Date								
David Rich	08/31/2012								
Andrew Kersey	08/31/2012								
Matt Culen	08/31/2012								
RECEIVING PARTY DATA									
Name:	Xhale, Inc.								
Street Address:	3630 SW 38th Avenue - Suite 100								
City:	Gainesville								
State/Country:	FLORIDA								
Postal Code:	32608								
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>29426057</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	29426057				
Property Type	Number								
Application Number:	29426057								
CORRESPONDENCE DATA									
Fax Number:	3523753133								
Phone:	3523718488								
Email:	lherman@xhale.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:	Lori Herman								
Address Line 1:	3630 SW 47th Avenue - Suite 100								
Address Line 2:	Attn: Lori Herman								
Address Line 4:	Gainesville, FLORIDA 32608								
ATTORNEY DOCKET NUMBER:	XH-DES1								
NAME OF SUBMITTER:	Dolores Herman								
Total Attachments: 2 source=DES-1 assignement (signed)#page1.tif source=DES-1 assignement (signed)#page2.tif									

OP \$40.00 29426057

**ASSIGNMENT  
OF DESIGN PATENT APPLICATION**

WHEREAS:

<u>Name</u>	<u>Address</u>
David Rich	95 Riverview Rd., Glastonbury, CT 06033
Andrew Kersey	12 Roxbury Lane, Wallingford, CT 06492
Matt Culen	309 1/2 Spruce St., Apt. C, Manchester CT 06040

hereinafter referred to as ASSIGNORS, have invented certain new and ornamental designs ("design(s)") as described and set forth in the below-identified United States design patent application entitled:

**Nasal Alar Photoplethysmography Probe Housing**

which was filed with the United States Patent and Trademark Office on June 29, 2012, and assigned Serial No. 29/426,057.

WHEREAS, Xhale, Inc., having a business at 3630 SW 47<sup>th</sup> Avenue, Suite 100, Gainesville, FL 32608, hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNORS' interest in said design(s) and design application and in any and all U.S. and foreign patents which may be granted on the same.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by ASSIGNORS, ASSIGNORS have sold, assigned and transferred and do hereby sell, assign and transfer unto ASSIGNEE, and ASSIGNEE'S successors and assigns, the entire right, title and interest, for the United States of America, in and to said design(s) and design application and all the rights and privileges in any and all applications and under any and all patents that may be granted in the United States for said design(s), including all applications claiming priority to the design application identified above, and all continuations, continuations in part, divisionals, reissues, and reexaminations thereof; and ASSIGNORS also concurrently hereby sell, assign and transfer to ASSIGNEE the entire right, title and interest in and to said designs for all countries foreign to the United States, including all rights of priority arising from the application for said patent, and all the rights and privileges under any and all forms of protection, including patents, that may be granted in said countries foreign to the United States for said inventions.

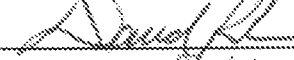
ASSIGNORS authorize ASSIGNEE to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said design(s), without further authorization from ASSIGNORS, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

ASSIGNORS hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said design(s) and to claim the aforesaid benefit of the right of priority.

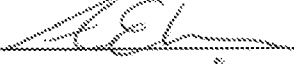
ASSIGNORS request that any and all patents for said design(s) be issued to ASSIGNEE in the United States and to ASSIGNEE in all countries foreign to the United States, or to such nominees as ASSIGNEE may designate.

ASSIGNORS agree that, when requested, ASSIGNORS shall, without charge to ASSIGNEE but at ASSIGNEE'S expense, sign all papers, take all rightful oaths, and do all acts which ASSIGNEE believes to be necessary, desirable, or convenient in connection with the patent applications, patents, or other forms of protection of the above-referenced design(s), and for the defense and protection thereof if challenged in the court of law.

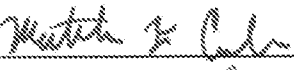
Full Name of First Inventor/Assignor: David Rich  
Residence: 95 Riverview Rd., Glastonbury, CT 06033

Inventor's Signature:  Date: 8-31-12  
Witnessed by: Robert H. Schuffman Date: 8/31/12

Full Name of Second Inventor/Assignor: Andrew Kersey  
Residence: 12 Roxbury Lane, Wallingford, CT 06492

Inventor's Signature:  Date: 31-AUG-12  
Witnessed by: Robert H. Schuffman Date: 8/31/12

Full Name of Third Inventor/Assignor: Matt Cullen  
Residence: 309 1/2 Spruce St., Apt. C, Manchester CT 06040

Inventor's Signature:  Date: 8/31/12  
Witnessed by: Robert H. Schuffman Date: 8/31/12