

## 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>Frank A. Gotch</td> <td>11/30/2010</td> </tr> <tr> <td>Amanda K. Stennett</td> <td>11/03/2010</td> </tr> <tr> <td>Norma J. Ofsthun</td> <td>11/03/2010</td> </tr> </tbody> </table>		Name	Execution Date	Frank A. Gotch	11/30/2010	Amanda K. Stennett	11/03/2010	Norma J. Ofsthun	11/03/2010		
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RECEIVING PARTY DATA											
<table border="1"> <tr> <td>Name:</td> <td>Fresenius Medical Care Holdings, Inc.</td> </tr> <tr> <td>Street Address:</td> <td>920 Winter Street</td> </tr> <tr> <td>City:</td> <td>Waltham</td> </tr> <tr> <td>State/Country:</td> <td>MASSACHUSETTS</td> </tr> <tr> <td>Postal Code:</td> <td>02451-1457</td> </tr> </table>		Name:	Fresenius Medical Care Holdings, Inc.	Street Address:	920 Winter Street	City:	Waltham	State/Country:	MASSACHUSETTS	Postal Code:	02451-1457
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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>13499485</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	13499485						
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CORRESPONDENCE DATA											
Fax Number: 9783410136 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> Phone: 978-341-0036 Email: sharon.stanizzi@hbsr.com Correspondent Name: David E. Brook Address Line 1: 530 Virginia Road, P.O. Box 9133 Address Line 2: Hamilton, Brook, Smith & Reynolds, P.C. Address Line 4: Concord, MASSACHUSETTS 01742-9133											
ATTORNEY DOCKET NUMBER:	3806.1020-003										
NAME OF SUBMITTER:	Sharon Stanizzi										
Total Attachments: 6 source=38061020003ASG#page1.tif											

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Docket No. 3806.1020-002 PCT

JointASSIGNMENT

WHEREAS, we, **Frank A. Gotch, Amanda K. Stennett and Norma J. Ofsthun**, have invented a certain improvement in **Method of Calculating a Phosphorus-Protein Ratio** described in an application for Patent,

- ☐ the specification of which is about to be filed in the United States Patent Office (*use for utility (37 CFR § 1.53(b)) and design filings only*);
- ☐ is about to be filed in the United States Patent Office as a Provisional Application;
- ☐ the specification of which is United States Application No. [ ], filed [ ];
- ☒ the specification of which is a Patent Cooperation Treaty Application, International Application No. PCT/US2010/051155, filed October 1, 2010, which designates the United States of America;
- ☐ which was patented under United States Patent No. [ ].

WHEREAS, **Fresenius Medical Care Holdings, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of New York**, and having a usual place of business at **920 Winter Street, Waltham, Massachusetts 02451-1457** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein; we hereby expressly authorize the filing of an International Patent Application under the Patent Cooperation Treaty which corresponds to and claims the priority of the above-identified application;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any future applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: Frank A. Gotch  
Frank A. Gotch

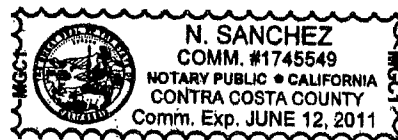
State of California  
County of Contra Costa

On 11/30 2010, before me, N. Sanchez, Notary Public  
(insert name and title of the officer)

personally appeared Frank A. Gotch, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.

Signature N. Sanchez (SEAL)



Inventor's Signature: \_\_\_\_\_

Amanda K. Stennett

State/Commonwealth

of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me, the undersigned notary public, personally appeared Amanda K. Stennett,

☐ personally known to me, or☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL)

Notary Public \_\_\_\_\_

(print name)

My Commission expires \_\_\_\_/\_\_\_\_/\_\_\_\_

Inventor's Signature: \_\_\_\_\_

Norma J. Ofsthun

State/Commonwealth

of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me, the undersigned notary public, personally appeared Norma J. Ofsthun,

☐ personally known to me, or☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL)

Notary Public \_\_\_\_\_

(print name)

My Commission expires \_\_\_\_/\_\_\_\_/\_\_\_\_

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- ☐ is about to be filed in the United States Patent Office as a Provisional Application;
- ☐ the specification of which is United States Application No. [    ], filed [    ];
- ☒ the specification of which is a Patent Cooperation Treaty Application, International Application No. PCT/US2010/051155, filed October 1, 2010, which designates the United States of America;
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NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein; we hereby expressly authorize the filing of an International Patent Application under the Patent Cooperation Treaty which corresponds to and claims the priority of the above-identified application;

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AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any future applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below,

---

Inventor's Signature: \_\_\_\_\_

Frank A. Gotch

State/Commonwealth \_\_\_\_\_

of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me, the undersigned notary public, personally appeared Frank A. Gotch,

☐ personally known to me, or

☐ proved to me through satisfactory evidence of identification, which was

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to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL)

Notary Public \_\_\_\_\_

\_\_\_\_\_(print name)

My Commission expires \_\_\_\_/\_\_\_\_/\_\_\_\_

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Docket No. 3806.1020-002 PCT

Inventor's Signature: Amanda K. Stennett  
 Amanda K. Stennett

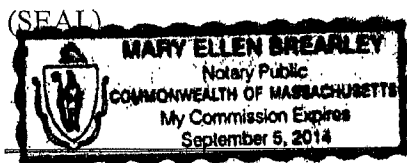
State/Commonwealth  
 of MASSACHUSETTS  
 County of MIDDLESEX

On this 3RD day of NOVEMBER 2010 before me, the undersigned notary public, personally appeared Amanda K. Stennett,

☐ personally known to me, or

☒ proved to me through satisfactory evidence of identification, which was  
MA LICENSE

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.



Notary Public Mary Ellen Brearley  
MARY ELLEN BREARLEY (print name)  
 My Commission expires 9/05/2014

Inventor's Signature: Norma J. Ofsthun  
 Norma J. Ofsthun

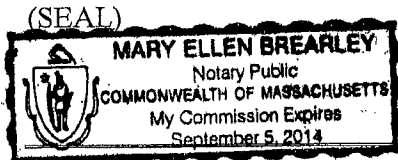
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 of MASSACHUSETTS  
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Notary Public Mary Ellen Brearley  
MARY ELLEN BREARLEY (print name)  
 My Commission expires 9/05/2014