

PATENT ASSIGNMENT COVER SHEET

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Stylesheet Version v1.2

EPAS ID: PAT3243629

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
HUNG VO	07/31/2014
CRISTIANO DALVI	07/31/2014
SEAN MERRITT	07/31/2014
MARCELO M. LAMEGO	05/14/2009
RECEIVING PARTY DATA	
Name:	CERCACOR LABORATORIES, INC.
Street Address:	189 TECHNOLOGY DRIVE
City:	IRVINE
State/Country:	CALIFORNIA
Postal Code:	92618
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	14056615
CORRESPONDENCE DATA	
Fax Number:	(949)760-9502
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>	
Phone:	9497600404
Email:	efiling@knobbe.com
Correspondent Name:	KNOBBE MARTENS OLSON & BEAR LLP
Address Line 1:	2040 MAIN STREET, 14TH FLOOR
Address Line 4:	IRVINE, CALIFORNIA 92614
ATTORNEY DOCKET NUMBER:	CERCA.076A
NAME OF SUBMITTER:	JAROM KESLER
SIGNATURE:	/Jarom Kesler/
DATE SIGNED:	02/26/2015
Total Attachments: 7	
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COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))

Application Data Sheet filed previously or concurrently

Docket No.: CERCA.076A

Page 1 of 5

Title: MAGNETIC-FLAP OPTICAL SENSOR

Inventors: Hung Vo, Cristiano Dalvi, Sean Merritt

Declaration

This Declaration is directed to the application identified above that:

Was filed **October 17, 2013** as U.S. or International Application No. **14/056615** and incorporating any amendments made thereto prior to the signature date of this Declaration.

As a named inventor, I declare that:

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 USC 1001 by fine or imprisonment of not more than five (5) years, or both.

I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

Assignment from Inventors

WHEREAS, **above-identified inventors** (individual(s) hereinafter "ASSIGNOR") invented certain new and useful improvements, technology, inventions, developments, ideas, ornamental designs, or discoveries, and hereby assign or are under an obligation to assign to the below identified Assignee the above-titled application (collectively hereinafter referred to as the "Work") for which an application for Letters Patent in the United States (identified above) has been prepared for filing with the United States Patent and Trademark Office (hereinafter the "Application").

AND WHEREAS, **Cercacor Laboratories, Inc.**, with its principal place of business at 189 Technology Drive, Irvine CA 92618 (hereinafter the "ASSIGNEE"), desires to acquire the entire right, title, and interest in and to the Application and the Work.

NOW, THEREFORE, for good and valuable consideration of which receipt is hereby acknowledged, ASSIGNOR hereby acknowledges that ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in the Application and the Work, including all patent properties filed or issued upon the Application and the Work; where "Patent Properties" include, but are not limited to:

all provisional applications relating thereto (including but not limited to U.S. Provisional Application No(s). **61/716486**, filed **October 20, 2012** (respectively if plural applications));

all nonprovisional applications claiming priority to aforementioned provisional(s) and/or the present Application, including, all divisions, continuations, continuations-in-part, and reissues, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof; and

all rights of priority under International Conventions and any related Letters Patent which may hereafter be granted or filed in any country or countries foreign to the United States, all extensions, renewals and reissues thereof.

COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))

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Docket No.: CERCA.076A

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Title: MAGNETIC-FLAP OPTICAL SENSOR

Inventors: Hung Vo, Cristiano Dalvi, Sean Merritt

ASSIGNOR hereby acknowledges the ASSIGNEE as the Applicant for all aforementioned patent properties, and authorizes and requests the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all related Letters Patent to the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR DOES HEREBY sell, assign, transfer, and convey to ASSIGNEE, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of said Letters Patent before or after issuance.

AND ASSIGNOR DOES HEREBY covenant and agree that ASSIGNOR will communicate to said ASSIGNEE, its successors, legal representatives and assigns, any facts known to ASSIGNOR respecting the Work, and testify in any legal proceeding, assist in the preparation of any other Patent Property relating to the Application and the Work or any improvements made thereto, sign/execute all lawful papers, authorize the filing of and execute and make all rightful oaths and/or declarations in connection with the Application and the Work including any improvements made thereto, any patent applications filed therefrom, and any continuing application filed from any of the aforementioned applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for the Work in all countries.

COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))
Application Data Sheet filed previously or concurrently

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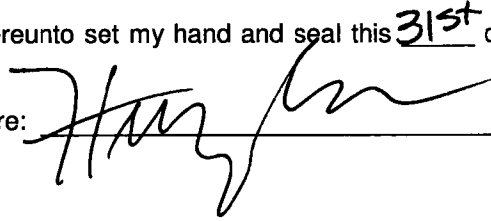
Title: MAGNETIC-FLAP OPTICAL SENSOR

Inventors: Hung Vo, Cristiano Dalvi, Sean Merritt

Legal Name of inventor: Hung Vo

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 31st day of July, 2014.

Signature: _____



STATE OF CALIFORNIA

COUNTY OF Orange } ss.

On 31 July 2014, before me, Sarah Seow Jang, notary public, personally appeared Hung Vo 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.

[SEAL]

Notary Signature 



COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))
Application Data Sheet filed previously or concurrently

Docket No.: CERCA.076A

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Title: MAGNETIC-FLAP OPTICAL SENSOR

Inventors: Hung Vo, Cristiano Dalvi, Sean Merritt

Legal Name of inventor: Cristiano Dalvi

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 31st day of July, 2014.

Signature: *Cristiano Dalvi*

STATE OF CALIFORNIA

COUNTY OF Orange } ss.

On 31 July 2014, before me, Sarah Seow Jang, notary public, personally appeared Cristiano Dalvi 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.

Sarah Seow Jang
Notary Signature

[SEAL]



COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))

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Page 5 of 5

Title: MAGNETIC-FLAP OPTICAL SENSOR

Inventors: Hung Vo, Cristiano Dalvi, Sean Merritt

Legal Name of inventor: Sean Merritt

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 31st day of July, 2014.

Signature: _____

STATE OF CALIFORNIA

COUNTY OF Orange } ss.

On 31 July 2014, before me, Sarah Seow Jang, notary public, personally appeared Sean Merritt 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.

Sarah Seow Jang
Notary Signature

[SEAL]



16624902

MASIMO LABS EMPLOYEE CONFIDENTIALITY AGREEMENT
(United States)

As an employee of Masimo Laboratories, a Delaware corporation ("Masimo Labs") and in consideration of the compensation and benefits from my employment, I agree as follows:

REDACTED

6. I agree that the fruits and products of my labor as a Masimo Labs employee shall belong solely to Masimo Labs.
7. I agree to assign and hereby assign to Masimo Labs all rights that I may have to any inventions, works of authorship, developments, improvements, or trade secrets that I may develop during the course of my employment, except for inventions which I am allowed to retain under California Labor Code section 2870, a copy of which is attached to this Agreement as Exhibit B.
8. I agree that all works of authorship to which I contribute during my employment shall be considered "works made for hire" and shall be the sole property of Masimo Labs.
9. I will keep adequate records of all inventions and works of authorship to which I contribute during my employment, and will make such records available to Masimo Labs on request.
10. I will cooperate with Masimo Labs and do whatever is necessary or appropriate to obtain patents, copyrights, or other legal protection on projects to which I contribute, and, if I am incapacitated for any reason from doing so, I hereby authorize Masimo Labs to act as my agent and to take whatever action is needed on my part to carry out this Agreement.

REDACTED

REDACTED

22. This Agreement is binding on my successors and assigns, and will benefit the successors and assigns of Masimo Labs.

23. This Agreement represents my entire agreement with Masimo Labs with respect to the subject matter herein and in particular with respect to confidential, proprietary and trade secret information and materials and intellectual property rights, superseding any previous oral or written understandings or agreements with Masimo Labs or any of its officers. This Agreement may be amended or modified only in writing signed by all the parties hereto.

MASIMO LABS

By: *[Signature]*

Name: KAMILA MACIEJEWSKA

Title: Office Manager

Signature: *[Signature]*

Name: MARCO COMEZO

Date: 5/19/09