

PATENT ASSIGNMENT COVER SHEET

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 Stylesheet Version v1.2

EPAS ID: PAT5491753

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	ASSIGNMENT	
SEQUENCE:	2	
CONVEYING PARTY DATA		
	Name	Execution Date
	OMT GMBH	08/07/2003
RECEIVING PARTY DATA		
Name:	OMAR OMAR PASHA	
Street Address:	BERGEDORFER STRASSE 148	
City:	HAMBURG	
State/Country:	GERMANY	
Postal Code:	21029	
PROPERTY NUMBERS Total: 1		
	Property Type	Number
	Application Number:	15916372
CORRESPONDENCE DATA		
Fax Number:	(412)209-1845	
<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:	412-297-4900	
Email:	IPPatent@CohenLaw.com	
Correspondent Name:	COHEN & GRIGSBY, P.C.	
Address Line 1:	625 LIBERTY AVENUE	
Address Line 4:	PITTSBURGH, PENNSYLVANIA 15222-3152	
ATTORNEY DOCKET NUMBER:	14-027 CIP/CON-2	
NAME OF SUBMITTER:	FREDERICK L. TOLHURST	
SIGNATURE:	/Frederick L. Tolhurst/	
DATE SIGNED:	04/25/2019	
Total Attachments: 12		
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**VEREINBARUNG ÜBER DIE GEMEINSCHAFTLICHE NUTZUNG
VON ERFINDUNGSSCHUTZRECHTEN**

zwischen

Herrn Dr. Omar Omar-Pasha
Bergedorfer Str. 148
21029 Hamburg
- im folgenden Omar-Pasha genannt -

und der

Onkoline Medizintechnik GmbH
Spaichinger Str. 16/1
78628 Rottweil
- im folgenden Onkoline genannt -

Präambel

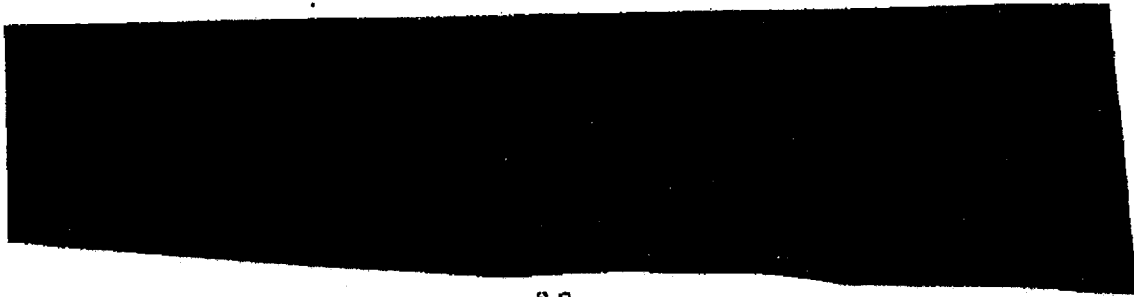
Omar-Pasha ist Erfinder eines Stimulationskatheters für den Einsatz in der Schmerztherapie, dessen wesentliches Merkmal darin besteht, daß mehrere Funktionen, nämlich die Verabreichung von Infusionen sowie die elektrische Stimulierung mit Hilfe von am Katheter angebrachten Elektroden, in einem einzigen Katheter kombiniert werden. Diese Erfindung ist auf den Namen von Omar-Pasha unter der Nr. 203 08 422 zum Gebrauchsmuster angemeldet worden. Eine Gebrauchsmusteranmeldung für eine Weiterbildung der Erfindung wurde am 04.08.2003 eingereicht (Aktenzeichen noch nicht bekannt). Über die gemeinschaftliche Entwicklung, Herstellung und wirtschaftliche Verwertung des Stimulationskatheters haben die Parteien bereits am 20.05.03 eine Vereinbarung getroffen, die durch diesen Vertrag wie folgt ergänzt wird.

DE 203 12 110 U1

§ 1



§ 2



§ 3

Die Kosten für die angemeldeten und ggf. noch anzumeldenden Schutzrechte trägt Onkoline. Über die Einreichung von Nachanmeldungen zu den Gebrauchsmustern werden sich die Parteien verständigen. In den Ländern, in denen eine Partei keine Anmeldung vornehmen möchte, kann die andere Partei Anmeldungen auf eigene Kosten vornehmen. Wenn eine Partei ein Schutzrecht fallenlassen möchte, erhält die andere Partei die Gelegenheit, das Schutzrecht bzw. die Schutzrechtsanmeldung zu übernehmen und auf eigene Kosten weiterzuverfolgen. In den Ländern, in denen nur eine der beiden Parteien Schutzrechte oder Schutzrechtsanmeldungen hat, stehen dieser Partei alle daraus entstehenden Erträge in voller Höhe zu. Die andere Partei kann sich aber in diesen Ländern ein nichtausschließliches Benutzungsrecht vorbehalten.

§ 4



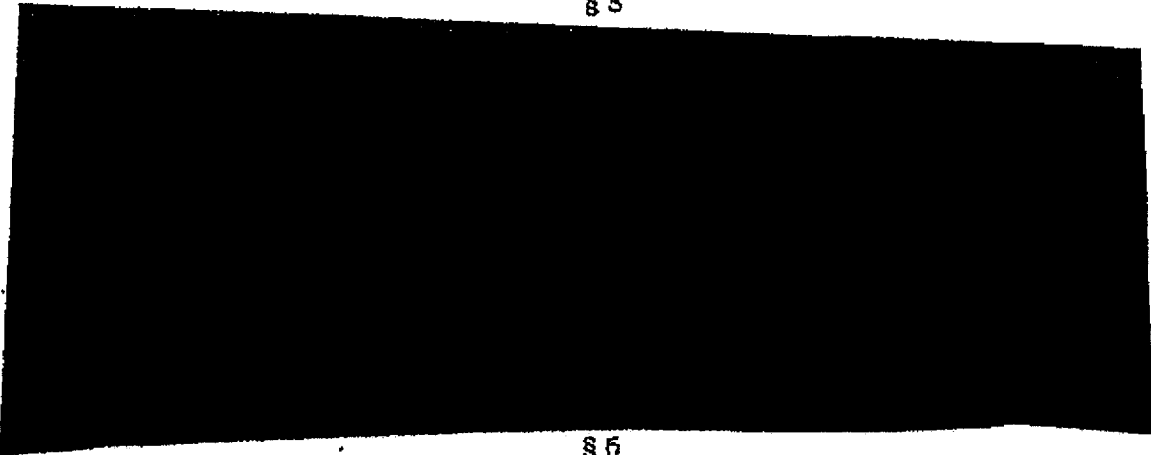
PATENT

REEL: 041364 FRAME: 0862

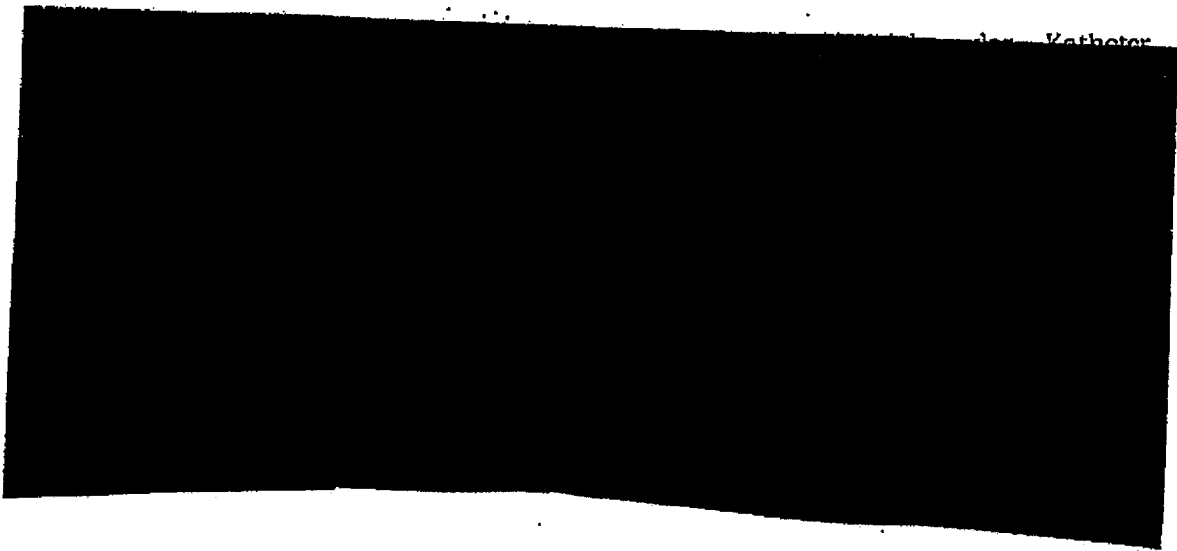
PATENT

REEL: 048992 FRAME: 0228

§ 5



§ 5



§ 7



fe

§ 8

Dieser Vertrag bleibt auch nach Beendigung der Vereinbarung vom 20.05.03 in Kraft und endet erst bei Beendigung oder Ablauf des letzten Vertragsschutzrechtes. § 6 der Vereinbarung vom 20.05.03 gilt auch für diesen Vertrag.

Hamburg,

Dr. Omar Omar-Pasha

Rottm. 8108.03

OnkoLine

Medizinische GmbH

Hahler Str. 248 • 32427 Minden
Tel. 0571-29530 • Fax. 0571-29529Christian Mantsch
(Onkoline GmbH)

PATENT

REEL: 041341 FRAME: 0864

REEL: 048992 FRAME: 0230

Agreement on the common use of rights of inventive intellectual property

between

Dr. Omar Omar-Pasha

Bergedorfer Strasse 148

21029 Hamburg

- herein after referred to as Omar-Pasha -

and

firm Onkollne Medizintechnik GmbH

Spaichinger Str. 16/1

78628 Rottweil

- herein after referred to as Onkollne -

Preamble

Omar-Pasha is the inventor of a catheter for stimulation for use in pain therapy, whose main feature is that several functions, namely the application of infusions and the electrical stimulation with the aid of electrodes attached to the catheter can be combined in a single catheter. This invention is in the name of Omar-Pasha registered under the number 203 08 422 as a utility model. A utility model application for an enhancement of the invention was filed on 04.08.2003 (file number not yet known (in the meantime published as DE 203 12 110)). About the common development, production and economic utilization of the catheter for stimulation, the parties have already reached an agreement dated 20.05.2003 that is supplemented by this agreement as follows.

§ 1

PATENT

REEL: 041364 FRAME: 0865

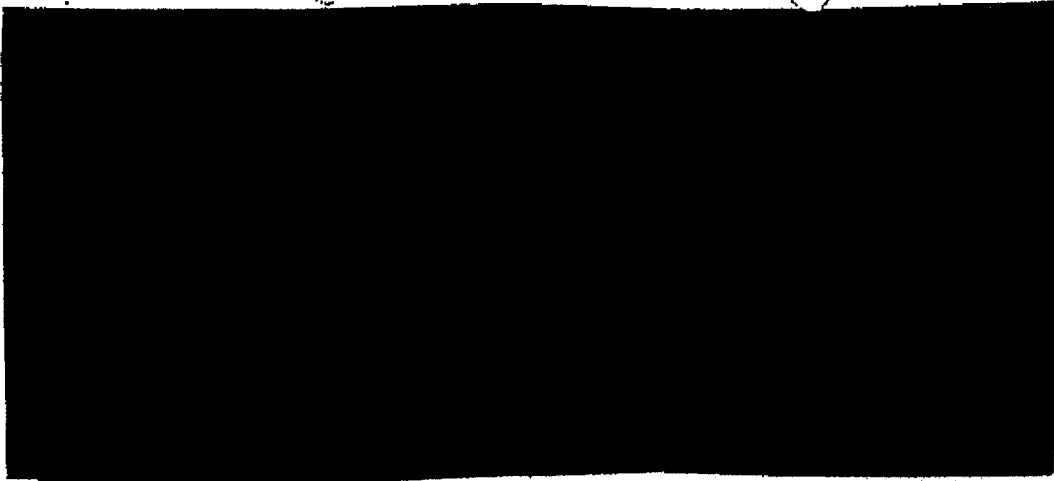
REEL: 048992 FRAME: 0231

§ 3

The costs of the pending and the possibly to be filed inventive intellectual property rights are beared by Onkoline. On the filing of subsequent applications to the utility models will be agreed upon by the parties. In the countries where a party wishes to file no application, the other party is allowed to file applications at his own expense. If one party would like to abandon an Intellectual property right, the other party is assigned to the opportunity to take over the Intellectual property right or the application of the intellectual property right and to pursue it at his own expense. In countries where only one of the two parties has the intellectual property right or the application of the intellectual property right, the income from them belongs to this party to the full amount. The other party may reserve a non-exclusive right to use/license in these countries.

§ 4

§ 5



§ 6



§ 7



§ 8

This agreement continues even after the agreement dated 20.05.03 and ends upon termination or expiration of the last contractual intellectual property right. § 6 of the Agreement dated 20.05.03 also applies to this contract.

Hamburg,

Dr. Omar Omar-Pasha

Rottmühlstr. 248 32427 Minden
08.03

Onkoline
Medizintechnik GmbH

Hahler Str. 248 • 32427 Minden
Tel. 05 71-29530 • Fax. 05 71-295 29

Christian Mantsch
(Onkoline GmbH)

Christian Mantsch

PATENT

REEL: 041364 FRAME: 0868

REEL: 048992 FRAME: 0234

SCHILS & KOLLEGEN

NOTARE
RECHTSANWÄLTE

Schils & Kollegen, Postfach 1051, 40213 Düsseldorf
vorab per Telefax: 0211 36926911

Patentanwalts-Gesellschaft
Ring & Weisbrodt
Herrn PA Dipl.-Ing. Hohendorf
Hohe Straße 83
40213 Düsseldorf

DR. RAINER SCHILS (bis 2013)
WOLFGANG KIRCHHOFF, NOTAR
DR. WERNER DAILE, NOTAR
Fachanwalt für Arbeitsrecht
DR. ARMIN PETER
Fachanwalt für Arbeitsrecht und Rechtsschutz
FRANK BOLLMEIER
Fachanwalt für Handels- und Gesellschaftsrecht
LYDIA KRISTIN WIESERBROCK, LL.M.
Fachanwältin für Arbeitsrecht
JULIA BRÄUNE
Fachanwältin für Gesellschaftsrecht
DR. ELISABETH LIEGE
Fachanwältin für Gesellschaftsrecht
JANINE FITZ
Wirtschaftsprüfer
31332 GUTENSLÖB

30.07.2014

Bekanntgab. Frau Dürmow
Telefon 0211 36926911
Telefax 0211 36926912
E-Mail: d.durmow@schils-kollegen.de

Vorgang: OMT GmbH & Co. KG v. Omar-Pasha, Omar
hier: US-Patentanmeldung 11/049,247, Katheter u. a.
Unser Zeichen: 1486/2014-0 - bitte stets angeben
Ihr Zeichen: OMAR - 2
Sachbearbeiter: Herr Dr. Peter/da

Sehr geehrter Herr Kollege Hohendorf,

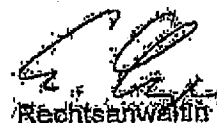
In d. a. Angelegenheit kommen wir zurück auf Ihr Aufforderungs-Schreiben vom 24.07.2014 sowie auf unser (Fax-)Schreiben vom 20.07.2014 und teilen nach Rücksprache mit den Verantwortlichen der von uns vertretenen Firma OMT GmbH & Co. KG Folgendes mit:

Ihr Mandant mag die US-Patentanmeldungen US-10/844,600 und US 11/049,247 allein und selbstständig auf eigene Kosten fortführen.

Die bisher im Zuge der in Rede stehenden US-Patentanmeldungen von unserer Mandantschaft geleisteten Zahlungen werden Ihrer Partei quotenmäßig berechnet werden, da diese schließlich von dem momentanen Status quo profitiert und auf diesen aufbaut resp. aufbauen kann.

Mit freundlichen Grüßen

Dr. Peter
Rechtsanwalt
nach Diktat verlesen


Rechtsanwalt

Fachanwalt für Arbeitsrecht
Telefon 0211 36926911
Telefax 0211 36926912
E-Mail: d.durmow@schils-kollegen.de

Translation of Letter, dated June 30, 2014, from Dr. Armin Peter to

Carsten Hohendorf, Attorney

Dear colleague Mr. Hohendorf,

Regarding the above mentioned matter we come back to your (call) letter of July 24, 2014 as well as your (facsimile) letter of July 25, 2015 and inform you that after consulting the responsible person of the company OMT GmbH & Co. KG, which is represented by us, about the following:

Your client may further prosecute US patent applications US 10/844,639 and US 11/049,247 on his own and naturally on its own costs.

The payments made by our client with respect to the US patent applications in question will be debited to your party proportionally because they profit of the actual status and will or can base on it respectively.

With kind regards,

Dr. Peter



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/049,247	02/02/2005	Omar Omar-Pasha	344/1/087	8358

170 7590 09/25/2009
RICHARD M. GOLDBERG
25 EAST SALEM STREET
SUITE 419
HACKENSACK, NJ 07601

EXAMINER

SCHAEZLE, KENNEDY

ART UNIT	PAPER NUMBER
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3766

MAIL DATE	DELIVERY MODE
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09/25/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Abandonment	Application No.	Applicant(s)	
	11/049,247	OMAR-PASHA ET AL.	
	Examiner	Art Unit	
	Kennedy J. Schaezle	3766	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 19 March 2009.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Abandoned status confirmed with attorney Richard Goldberg on September 23, 2009.

/Kennedy J. Schaezle/
Primary Examiner, Art Unit 3766

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20090923

RECORDED: 01/10/2017
RECORDED: 04/25/2019

PATENT
REEL: 041347 FRAME: 0872
REEL: 048992 FRAME: 0238