

11-17-1998



100879520

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

11/9/98  
11/12/98

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment
- License
- Security Agreement
- Nunc Pro Tunc Assignment  
Effective Date  
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- Individual
- General Partnership
- Limited Partnership

- Corporation
- Association

Other

Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

11/16/1998 DNGUYEN 00000218 1735651

FOR OFFICE USE ONLY

01 FC:481 40.00 OP  
02 FC:482 75.00 OP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231  
TRADEMARK

REEL: 1814 FRAME: 0065

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. #

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1735651"/>	<input type="text" value="1746993"/>	<input type="text" value="1768979"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1917083"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties** Enter the total number of properties involved. #

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed  Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.) #

Authorization to charge additional fees: Yes  No

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Robert E. Rosenthal  
Name of Person Signing

  
Signature

11/9/98  
Date Signed

**ASSIGNMENT**

This Assignment, effective February 12, 1996, between the undersigned, EOI Corp., a Pennsylvania corporation, having offices at 351 East Conestoga Road, Wayne, Pennsylvania 19087, (the "Assignor"), and Escalon Medical Corp., a California corporation, with its principal place of business located at 351 East Conestoga Road, Wayne, Pennsylvania 19087, (the "Assignee"), transfers and assigns from Assignor to Assignee, pursuant to an Assets Sale and Purchase Agreement between the Assignor and the Assignee, all right, title, and interest in and to the trademark registrations in the United States Patent and Trademark Office identified and described in Schedule A attached hereto, and the goodwill of the business associated therewith (collectively, the "Trademarks").

The Assignor does hereby assign unto the Assignee all of the Assignor's right, title, and interest in and to the Trademarks, free and clear of all liens and encumbrances, together with all of the goodwill of the entire business associated with and symbolized by such Trademarks, the registrations thereof and therefor, and any rights of the Assignor to sue any third parties for any past infringement of or to the Trademarks, for the use and behoof of the Assignee and its successors, assigns or other legal representative and to prosecute such applications and registrations in the United States Patent and Trademark Office.

After execution of this Trademark Assignment, at the request of the Assignee and at the Assignee's expense, but without additional consideration to the Assignor, the Assignor will execute and deliver to the Assignee from time to time such further instruments of conveyance, transfer, and assignment and other documents, and will take such other actions, as the Assignee may reasonably require to convey and deliver more effectively to the Assignee the Trademarks, to perfect the Assignee's title thereto, and otherwise to accomplish the orderly transfer to the Assignee of the Trademarks and to give full effect to this Trademark Assignment.

This Trademark Assignment is binding on the Assignor and its respective successors and assigns, and inures to the benefit of the Assignee and its successors and assigns.

In witness whereof, intending to be legally bound hereby, the Assignor has duly executed this Trademark Assignment.

EOI CORP.

By: *John T. Rich*  
John T. Rich  
Vice President

STATE OF *Pennsylvania* :  
COUNTY OF *Philadelphia* : :SS.

I, *Alice Lindsay Weber* a Notary Public, in and for the State and County aforesaid, do hereby certify that on this 10<sup>th</sup> day of August, 1998, appeared before me John T. Rich, to me personally known, who, being by me duly sworn, did say that he is the Vice President of EOI Corp. and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me this 10<sup>th</sup> day of August, 1998.

*Alice Lindsay Weber*  
Notary Public

Notarial Seal  
Alice Lindsay Weber, Notary Public  
Philadelphia, Philadelphia County  
My Commission Expires May 5, 2001  
Member Pennsylvania Association of Notaries

**SCHEDULE A**

<b>MARK</b>	<b>REG. NO.</b>	<b>CLASS</b>	<b>REG. DATE</b>	<b>GOODS/SERVICES</b>
A STEEP UP IN OPHTHALMICS	1,735,651	10	11/24/92	Medical and surgical instruments and devices for use in surgery of the eye and the treatment of diseases and dysfunctions of the eye
ESCALON	1,746,993	10	01/19/93	Medical and surgical instruments for use in surgery of the eye and the treatment of diseases and dysfunctions of the eye; namely, fiber optic ocular light instruments, fiber optic probes and picks, air exchange device, and parts thereof
ESCALON	1,768,979	42	05/04/93	Distributorship Services in the Field of (I) pharmaceutical preparations for topical and intraocular use in the treatment of diseases and dysfunctions of the eye and (II) medical and surgical instruments and devices for use in dysfunctions of the eye
OCUFIT SR	1,917,083	5 AND 10	09/05/95	Pharmaceutical preparations for use in a sustained release device for treatment of diseases and dysfunctions of the eye and medical devices for sustained release of pharmaceutical preparations to the surface of the eye for treatment of diseases and dysfunctions of the eye

# DUANE, MORRIS & HECKSCHER LLP

ATTORNEYS AT LAW

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(215) 979-1000

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(215) 979-1020

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600 TRAVIS, SUITE 6500  
HOUSTON, TX 77002

November 9, 1998

## VIA FIRST CLASS MAIL

Commissioner of Patents & Trademarks  
Box ASSIGNMENTS  
Washington, D.C. 20231

**Re: Assignment of Trademark Registrations  
from EOI Corp. to Escalon Medical Corp.  
DMH File No. C7232-00002**

Dear Sir:

Enclosed please find for recording in the Assignment Branch in connection with the above-captioned assignment the following:

- 1) Form PTO-1618A and B (cover sheet listing Reg. Nos. 1,735,651, 1,768,979, 1,746,993 and 1,917,083); and
- 2) Assignment from EOI Corp. to Escalon Medical Corp. executed August 10, 1998.

Also enclosed is a check in the amount of \$115.00 as payment for recordal of the above-mentioned assignment. Kindly charge any deficiency in the amount given or credit any overpayment to deposit account No. 04-1679. A duplicate copy is attached for charging purposes.

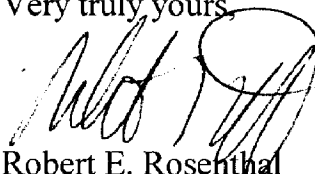
**TRADEMARK  
REEL: 1814 FRAME: 0070**

November 9, 1998

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Kindly acknowledge receipt of the above by returning the enclosed prepaid self-addressed acknowledgment postcard.

Very truly yours,



Robert E. Rosenthal  
for DUANE, MORRIS & HECKSCHER LLP

RER:eo  
Enclosures

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Certification Under 37 CFR 1.8

I hereby certify that this document (along with any documents referred to as enclosed therein) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail on November 9, 1998, to the o the Commissioner of Patents and Trademarks, Box ASSIGNMENTS, Washington, D.C. 20231

Date: 11/9/98

  
Elizabeth Orleman