

8/30/99

09-03-1999



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Docket No.:

10927.230.1

101135701

Tab settings

To the Honorable Commissioner of Patents and Trademarks. Please receive the attached original documents or copy thereof.

1. Name of conveying party(ies):

MALLINCKRODT, INC.

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other
- Association
- Limited Partnership

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: August 20, 1999

2. Name and address of receiving party(ies):

Name: MERIT MEDICAL SYSTEMS, INC.

Internal Address:

Street Address: 1600 West Merit Parkway

City: South Jordan State: UT ZIP: 84095

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Utah
- Other

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

See Exhibit
A

B. Trademark Registration No.(s)

See Exhibit
A

Additional numbers Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jonathan W. Richards

Internal Address:

1000 Eagle Gate Tower

Street Address: 60 East South Temple

City: Salt Lake City State: UT ZIP: 84111

6. Total number of applications and registrations involved:.....

12

7. Total fee (37 CFR 3.41):.....\$ 315.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

23-3178

09/03/1999 DNGUYEN 00000114 75653465

DO NOT USE THIS SPACE

01 FC:481

40.00 OP
275.00 OP

9. 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.

Jonathan W. Richards

Name of Person Signing

Jonathan W. Richards

Signature

8/30/99

Date

Total number of pages including cover sheet, attachments, and

10 TRADEMARK

EXHIBIT "A"
ASSIGNMENT OF TRADEMARKS

Pending Trademark Applications:

| <u>Mark</u> | <u>Serial No.</u> | <u>Date Filed</u> |
|-------------|-------------------|-------------------|
| COAXTRAC | 75/653,465 | March 4, 1999 |
| COPPERHEAD | 75/492,076 | May 28, 1998 |
| FINCH | 75/491,951 | May 28, 1998 |
| SLIPRON | 75/591,209 | November 18, 1998 |

Issued Trademark Registrations:

| <u>Mark</u> | <u>Reg. No.</u> | <u>Reg. Date</u> |
|----------------|-----------------|-------------------|
| AMIR MOTARJEME | 1,622,298 | November 13, 1990 |
| CAVERN | 2,198,870 | October 20, 1998 |
| FAST-PAK | 1,828,205 | March 29, 1994 |
| PERFORMA | 1,896,906 | May 30, 1995 |
| SOFTOUCH | 1,460,753 | October 13, 1987 |
| TIP-TO-TIP | 1,218,270 | Novemer 30, 1982 |
| TRAX | 2,076,019 | July 1, 1997 |
| ULTRA TORQUE | 1,830,239 | April 12, 1994 |

ASSIGNMENT OF TRADEMARKS

WHEREAS, MALLINCKRODT INC., a Delaware corporation with its principal place of business located at 675 McDonnell Boulevard, Hazelwood, Missouri 63042 ("Assignor"), is the owner of record, as reflected by the records of the U.S. Patent and Trademark Office, of the issued U.S. trademark registrations and pending U.S. trademark applications listed in Schedule A hereto (the "U.S. Trademark Registrations and Applications"); and

WHEREAS, Assignor is also the owner of record of the issued foreign trademark registrations and pending foreign trademark applications also listed in Schedule A hereto (the "Foreign Trademark Registrations and Applications"); together with the U.S. Trademark Registration and Application being hereinafter collectively referred to as the Trademarks, Registrations and Applications; and

WHEREAS, MERIT MEDICAL SYSTEMS, INC., a Utah corporation with its principal place of business located at 1600 West Merit Parkway, South Jordan, Utah 84095 ("Assignee"), desires to acquire all right, title and interest in and to the Trademarks, Registrations and Applications, the goodwill of the business symbolized thereby, and the right to sue for past infringement thereof.

NOW, THEREFORE, for and in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign, transfer and convey unto Assignee all right, title and interest in and to the Trademarks, Registrations and Applications, the goodwill of the business symbolized thereby, and the right to sue for past infringement thereof.

Assignor hereby covenants and agrees that, at any time upon the reasonable request and at the expense of Assignee, Assignor shall execute and deliver such other and additional documents that may be necessary to enable and assist Assignee in recording this Assignment and the transfer of ownership of the Trademarks, Registrations and Applications from Assignor to Assignee in any and all countries of the world, including, but not limited to the execution and delivery of specific assignment documents that may be required by any foreign country, or that may otherwise be necessary or appropriate to carry out the intent and purposes of this Agreement.

SIGNED on this the 20th day of August, 1999.

MALLINCKRODT INC.

By: 

Name: RICHARD T. HILLONS

Position: VP CORPORATE DEV.

STATE OF Missouri §

§

COUNTY OF St. Louis §

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared Richard T. Higgons, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said Mallinckrodt Inc., a Delaware corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 20th day of August, 1999.

Gigi N. Royse
NOTARY PUBLIC, State of Missouri

Gigi N. Royse
Notary Public, State of Missouri
City of St. Louis
My Commission Expires 8/20/2000

Schedule A

Schedule A

| TrademarkName | CountryName | AppiNumber | FileDate | RegNumber | RegDate | Goods |
|----------------|--------------------------|------------|-----------|-----------|-----------|---|
| ALVAFLO | Sri Lanka | 62402 | 21-Oct-91 | 62402 | 21-Oct-91 | SURGICAL AND MEDICAL APPARATUS AND INSTRUMENTS; CATHETERS; TRACHEAL TUBES; INTRAVASCULAR APPARATUS; PARTS AND FITTINGS INCLUDED FOR ALL THE AFORESAID GOODS |
| ALVAFLO | Italy | 34611C 81 | 04-Aug-81 | 440983 | 06-Aug-81 | MEDICAL AND SURGICAL APPARATUS AND PARTS THEREOF; DIAGNOSTIC APPARATUS AND PARTS THEREOF; CATHETERS. |
| ALVAFLO | United Kingdom | 1158186 | 22-Jul-81 | B1158186 | 22-Jul-88 | CATHETERS, MEDICAL AND SURGICAL APPARATUS; DIAGNOSTIC APPARATUS FOR IN VIVO USE AND PARTS, ALL ADAPTED TO FACILITATE THE FLOW OF LIQUIDS. |
| AMIR MOTARJEME | United States of America | 74004794 | 24-Nov-89 | 1622298 | 13-Nov-90 | CATHETERS |
| CAVERN | France | 97692181 | 18-Aug-97 | 97692181 | 18-Aug-97 | Catheters for use in diagnostic procedures, guide catheters |
| CAVERN | Fed. Republic of Germany | 39739667.8 | 20-Aug-97 | | | Catheters for use in diagnostic procedures; guide catheters |
| CAVERN | United Kingdom | 2142397 | 18-Aug-97 | 2142397 | 18-Aug-97 | Catheters for use in diagnostic procedures, guide catheters |
| CAVERN | European Community | 617399 | 25-Aug-97 | | | Catheters for use in diagnostic procedures, guide catheters |

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|------------|--------------------------|-----------|-----------|---------|-----------|--|
| CAVERN | United States of America | 75/153976 | 12-Aug-96 | 2198870 | 20-Oct-98 | Catheters for use in diagnostic procedures; including guide catheters Examiner's Amendment 02/26/97: Goods amended to "catheters for use in diagnostic procedures; guide catheters |
| COAXTRAC | United States of America | 75/653465 | 04-Mar-99 | | | MEDICAL DEVICE; MEDICAL CATHETERS, ESPECIALLY MEDICAL CATHETERS FOR USE IN ANGIOPLASTY |
| COPPERHEAD | United States of America | 75/492076 | 28-May-98 | | | Medical devices; namely, catheters |
| FAST-PAK | United States of America | 74/412123 | 13-Jul-93 | 1828205 | 29-Mar-94 | ANGIOGRAPHY KIT CONSISTING OF AN ANGIOGRAPHY CATHETER, GUIDEWIRE, DISPOSABLE SYRINGES, NEEDLES, GAUZE PADS, TOWELS, SWABS, SCALPEL, ETC |
| FAST-PAK | Benelux | 394685 | 19-Jul-83 | 394685 | 19-Jul-83 | MEDICAL KITS, SYRINGES AND NEEDLES. |
| FINCH | United States of America | 75/491951 | 28-May-98 | | | Medical devices; namely catheters |

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|-----------------------|--------------------------|-------------|-----------|---------|-----------|--|
| MALLINCKRODT FAST-PAK | Switzerland | 5133 | 07-Sep-83 | 329018 | 07-Sep-83 | MEDICAL KITS CONTAINING CHEMICALS FOR DIAGNOSTIC AND ANALYTICAL PURPOSES; CHEMICAL PRODUCTS FOR USE IN MEDICAL SCIENCE, ETC. |
| MALLINCKRODT SOFTOUCH | United Kingdom | 1383121 | 09-May-89 | 1383121 | 09-May-89 | CATHETERS AND PARTS AND FITTINGS THEREFOR |
| OPTITOUCH | Fed. Republic of Germany | M66959/10WZ | 15-Mar-90 | 1179434 | 15-Mar-90 | CATHETERS |
| OPTITOUCH | Benelux | 743096 | 14-Mar-90 | 475178 | 14-Mar-90 | SURGICAL AND MEDICAL APPARATUS AND INSTRUMENTS, CATHETERS, TRACHEAL TUBES, INTRAVASCULAR APPARATUS, PARTS AND FITTINGS |
| OPTITOUCH | United Kingdom | 1415803 | 26-Feb-90 | 1415803 | 26-Feb-90 | CATHETERS |
| OPTITOUCH | France | 196041 | 16-Mar-90 | 1580649 | 16-Mar-90 | surgical and medical apparatus and instruments; catheters, tracheal tubes; intravascular apparatus, parts and fittings |
| OPTITROL | Benelux | 743096 | 14-Mar-90 | 475179 | 14-Mar-90 | SURGICAL AND MEDICAL APPARATUS AND INSTRUMENTS, CATHETERS, TRACHEAL TUBES, INTRAVASCULAR APPARATUS, PARTS AND FITTINGS |

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|----------|--------------------------|------------|-----------|---------|-----------|---|
| OPTITROL | United Kingdom | 1415800 | 26-Feb-90 | 1415800 | 26-Feb-90 | CATHERERS |
| OPTITROL | France | 196039 | 16-Mar-90 | 1580647 | 16-Mar-90 | surgical and medical apparatus and instruments; catheters, tracheal tubes, intravascular apparatus, parts & fittings etc. |
| PERFORMA | United States of America | 74/462064 | 12-Nov-93 | 1896906 | 30-May-95 | Angiographic catheters for delivery of contrast media |
| REMOTROL | France | 196040 | 16-Mar-90 | 1580648 | 16-Mar-90 | surgical and medical apparatus and instruments; catheters, tracheal tubes; intravascular apparatus; parts and fittings |
| REMOTROL | Benelux | 743095 | 14-Mar-90 | 475342 | 14-Mar-90 | SURGICAL AND MEDICAL APPARATUS AND INSTRUMENTS, CATHETERS, TRACHEAL TUBES, INTRAVASCULAR APPARATUS, PARTS AND FITTINGS |
| REMOTROL | United Kingdom | 1415799 | 26-Feb-90 | 1415799 | 26-Feb-91 | CATHERERS |
| SLIPRON | United States of America | 75/591209 | 18-Nov-98 | | | Coating material for catheters |
| SOFTOUCH | Japan | 6616989 | 09-Jun-89 | 2420824 | 30-Jun-92 | CATHERERS AND PARTS THEREFOR |
| SOFTOUCH | Benelux | 66094 | 01-Feb-89 | 458871 | 01-Feb-89 | CATHERERS. |
| SOFTOUCH | United States of America | 649744 | 16-Mar-87 | 1460753 | 13-Oct-87 | ANGIOGRAPHIC CATHETERS. |
| SOFTOUCH | Italy | 48103-C\89 | 28-Feb-89 | 560843 | 28-Feb-92 | ANGIOGRAPHIC CATHETERS. |
| SOFTOUCH | France | 108039 | 03-Feb-89 | 1512829 | 03-Feb-89 | ANGIOGRAPHIC CATHETERS. |
| SOFTOUCH | Fed. Republic of Germany | M64018/10 | 22-Nov-88 | 1158771 | 11-May-90 | ANGIOGRAPHIC CATHETERS. |

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|--------------|--------------------------|--------------|-----------|----------|-----------|----------|-----------|---|
| SOFTOUCH | Nepal | | | | | 8959/049 | 24-Jan-93 | SURGICAL & MEDICAL APPARATUS & INSTRUMENTS; CATHETERS; TRACHEAL TUBES; INTRAVASCULAR APPARATUS; PARTS & FITTINGS INCLUDED IN CLASS 10 |
| SOFTOUCH | Australia | 512460 | 08-Jun-89 | A512460 | 08-Jun-89 | | 08-Jun-89 | ANGIOGRAPHIC CATHETERS. |
| SOFTOUCH | New Zealand | 193770 | 08-Jun-89 | 193770 | 08-Jun-89 | | 08-Jun-89 | CATHETERS AND PARTS THEREFOR |
| TIP-TO-TIP | Fed. Republic of Germany | M 49122 10WZ | 17-Dec-80 | 1018986 | 17-Dec-80 | | 17-Dec-80 | CATHETERS |
| TIP-TO-TIP | Switzerland | 8673/98 | 21-Oct-98 | | | | | Catheters and parts thereof; catheters with a radiopaque line |
| TIP-TO-TIP | European Community | 967406 | 26-Oct-98 | | | | | Catheters and parts thereof; catheters with a radiopaque line |
| TIP-TO-TIP | Japan | | 23-Oct-98 | | | | | Catheters and parts thereof; catheters with a radiopaque line |
| TIP-TO-TIP | United States of America | 260 977 | 05-May-80 | 1218270 | 30-Nov-82 | | 30-Nov-82 | CATHETERS WITH A RADIOPAQUE LINE. |
| TIP-TO-TIP | Australia | 405902 | 27-Mar-84 | A405902 | 27-Mar-84 | | 27-Mar-84 | FOR CATHETER USE. |
| TIP-TO-TIP | France | 582047 | 15-Dec-80 | 1627736 | 15-Dec-80 | | 15-Dec-80 | CATHETERS. |
| TIP-TO-TIP | New Zealand | | | B151941 | 27-Mar-84 | | 27-Mar-84 | CATHETERS & PARTS THEREOF. |
| TIP-TO-TIP | United Kingdom | | | B1143957 | 25-May-83 | | 25-May-83 | CATHETERS. |
| TRAX | United Kingdom | 2124395 | 18-Aug-97 | | | | | Coronary guide catheters |
| TRAX | Fed. Republic of Germany | 39739668.6 | 20-Aug-97 | 39739668 | 20-Aug-97 | | 20-Aug-97 | Coronary guide catheters |
| TRAX | European Community | 617407 | 25-Aug-97 | | | | | Coronary guide catheters |
| TRAX | France | 97692184 | 18-Aug-97 | 97692184 | 18-Aug-97 | | 18-Aug-97 | Coronary guide catheters |
| TRAX | United States of America | 74/563604 | 19-Aug-94 | 2076019 | 01-Jul-97 | | 01-Jul-97 | Coronary guide catheters |
| ULTRA TORQUE | United States of America | 74/362416 | 18-Feb-93 | 1830239 | 12-Apr-94 | | 12-Apr-94 | Angiographic catheters and component parts therefor |