

09-21-1999

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09-13-1999

Conveying Party(ies):

101149331

Submitted original documents or copy thereof.

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #39

(ies):

Name of receiving party(ies):

Impella Cardiotechnik GmbH

9.13.99

- Individual(s)
- General Partnership
- Corporation - Germany
- Other _____
- Association
- Limited Partnership

Name: Impella Cardiotechnik Aktiengesellschaft

Address: Paulwelsstraße 19, 52074
Aachen, GERMANY

- Individual(s) citizenship _____
- Association _____
- General Partnership _____

- Limited Partnership _____
- Corporation - Germany
- Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

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

Execution Date: May 10, 1999

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

A. Trademark Application No.(s) 75/534996 and 75/718428

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

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

Name: Charles E. Weinstein, Esq.
 Internal Address: Foley Hoag & Eliot LLP
 Street Address: One Post Office Square
 City: Boston State: MA ZIP: 02109

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41):.....\$65
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
06-1446
 (Attach duplicate copy of this page if paying by deposit account)

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01 FC:481 40.00 CH
02 FC:482 25.00 CH

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.

Charles E. Weinstein, Esq.
Name of Person Signing

Signature

September 9, 1999
Date

Total number of pages comprising cover sheet: 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: IMPELLA
 App. No. 75/534996
 App. Date: August 7, 1998
 Applicant: Impella Cardiotechnik Aktiengesellschaft
 Class: 10

POWER OF ATTORNEY


Applicant hereby appoints Charles E. Weinstein, Esq., Susan Barbieri Montgomery, Esq., Thomas M.S. Hemnes, Esq., Charles H. Cella, Esq., T. Maria Lam, Esq., Edward G. Black, Esq., and Bruce R. Parkere, Esq. of Foley, Hoag & Eliot LLP, One Post Office Square, Boston, Massachusetts 02109, (617) 832-1000, members of the bar of The Commonwealth of Massachusetts, to prosecute this application to register, to transact all business in connection therewith, and to receive the certificate of registration.

DESIGNATION OF DOMESTIC REPRESENTATIVE

Charles E. Weinstein, Esq., Susan Barbieri Montgomery, Esq., Thomas M.S. Hemnes, Esq., Charles H. Cella, Esq., Edward G. Black, Esq., Bruce R. Parker, Esq. and T. Maria Lam, Esq., members of the bar of The Commonwealth of Massachusetts, whose postal address is Foley, Hoag, & Eliot LLP, one Post Office Square, Boston, Massachusetts 02109, are hereby designated Applicant's representatives upon whom notice or process in proceedings affecting this application may be served.

IMPELLA CARDIOTECHNIK
 AKTIENGESELLSCHAFT

Dated: August 30, 1999

By: 
 Name: Dr. ROLF Sammler
 Title: Chief Executive Officer
 (Vorstandsmitglied)

361153.1

TRADEMARK ASSIGNMENT

WHEREAS, Impella Cardiotechnik GmbH, ("the Assignor"), a German corporation having its principal place of business at Pauwelsstraße 19, 52074 Aachen, Germany, has filed a U.S. application to register the mark IMPELLA, now assigned Serial No. 75/534996, based on an intention to use and also based on a German priority application;

WHEREAS, Assignor has also filed a U.S. application to register the mark VERSUS, now assigned Serial No. 75/718428, based on an intention to use and also based in part on a German priority application and in part on a German registration;

WHEREAS, Assignor is assigning the marks in the above-identified U.S. applications as part of the entire business or portion thereof to which the marks pertain as required by 15 U.S.C. §1060;

WHEREAS, Impella Cardiotechnik Aktiengesellschaft, a German corporation having its principal place of business at Paulwelsstraße 19, 52074 Aachen, Germany, is the successor to the ongoing and existing business or portion thereof of Impella Cardiotechnik GmbH to which the marks pertain, and is desirous of acquiring said trademarks, and the pending U.S. applications for registrations thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign to Impella Cardiotechnik Aktiengesellschaft all right, title and interest in and to the trademarks IMPELLA and VERSUS, the goodwill of the business symbolized by the marks, the pending U.S. applications for registration thereof, Serial Nos. 75/534996 and 75/718428, and the ongoing and existing business, or portion thereof, to which the marks pertain.

Dated: May 10, 1999

ASSIGNOR:

IMPELLA CARDIOTECHNIK GMBH

By: 

Name: Dr. Rolf Sammler

Title: Managing Director

(Geschäftsführer)

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RECORDED: 09/13/1999
06/09 16:20 NO. 712 02

+49 221 253366

TRADEMARK

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