

01-04-2000



U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

MDD 12.23.99

101236973

To the Honorable Commissioner of

the attached original documents or copy thereof.

1. Name of conveying party(ies):

PHYSIX, INC.

- ☐ Individual(s)
☐ General Partnership
☒ Corporation-State Texas
☐ Other

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

3 Nature of conveyance:

- ☒ Assignment
☐ Security
☐ Other
- ☐ Merger
☐ Change of Name

Execution Date: December 17, 1999

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

Name: Data Critical Corporation

Internal Address: Suite 100

Street Address: 19820 North Creek Parkway

City: Bothell State: WA ZIP: 98011

☐ Individual(s) citizenship☐ Association☐ General Partnership☐ Limited Partnership☒ Corporation-State Delaware☐ OtherIf 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

4. Application number(s) or registration

A. Trademark Application No.(s)

74531002 75017492

75139707 75164463

75164462 75237581

Additional numbers attached?

☐ Yes ☒ No

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

Name Paul Aubert

Internal Address: Andrews & Kurth, L.L.P.

Street Address: 2170 Buckthorne Place, Suite 150

City: The Woodlands State: TX ZIP: 77380

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

6

7. Total fee (37 CFR 3.41): \$ 165.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit Account Number

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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 or the original document.

Paul Aubert

Name of Person Signing

Signature

 Dec. 22, 1999
 Date

Total number of pages comprising cover sheet:

3

OMB No. 0651-0011 (emp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

01/04/2000 DMGUYEN 00000044 74531002

01 FC:481

02 FC:482

40.00 OP

125.00 OP

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503

WOD:10322.1

 TRADEMARK
 REEL: 002005 FRAME: 0974

ASSIGNMENT OF INTELLECTUAL PROPERTY

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, PHYSIX, INC., a Texas corporation ("Seller"), does hereby assign, grant, bargain, sell, convey and transfer to DATA CRITICAL CORPORATION, a Delaware corporation, all of Seller's right, title and interest in and to the patents, copyrights, trademarks and other intellectual property rights set forth on Exhibit A hereto.

IN WITNESS WHEREOF, the undersigned has executed this Assignment of Intellectual Property as of this 17th day of December, 1999.

PHYSIX, INC., a Texas corporation

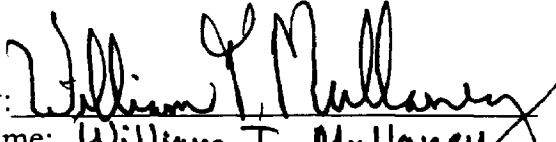
By: 
Name: William T. Mullaney
Title: Chairman of the Board

EXHIBIT A

U.S. Design Patent Application No. 29/027,473 for Pocket Doc Interface filed on August 22, 1994.

U.S. Trademark Application Serial No. 74/531,002 for POCKETDOC filed on May 31, 1994, Office Action from Patent and Trademark Office dated as of January 23, 1995 (the "Office Action"), and Response to the Office Action dated as of June 28, 1995.

U.S. Trademark Application Serial No. 75/017,492 for POCKETNURSE filed October 17, 1995, amendment filed July 24, 1996.

U.S. Trademark Application Serial No. 75/139,707 for WEBCHART filed July 25, 1996.

Copyright registration nos. 7X-4-267-267 and TX-4-267-266 for Physix clinical template knowledge-base PDF and PDT versions, respectively, filed on 7/29/96.

U.S. Utility Patent Application No. 08/585,423 for Mobile Electronic Medical Record-Keeping System and Method, filed January 11, 1996.

U.S. Trademark Application Serial No. 75/164,463 for PC CHART filed September 11, 1996.

U.S. Trademark Application Serial No. 75/164,462 for POCKET CHART filed September 11, 1996.

U.S. Trademark Application Serial No. 75/237,581 for COMPENDIA filed February 6, 1997.

National Drug File, Licensing Agreement with First Data Bank dated October 15, 1999.

American Medical Association, Licensing Agreement dated July 1, 1999.

Integration and Re-marketing Agreement with Advanced Imaging Concepts dated July 1, 1999.

Bodner Consulting and Software Co., Source Code License Agreement dated August 23, 1996.

Fort Knox Escrow Services Master Escrow Agreement dated May 15, 1998.

The Company has licenses for a variety of software used on the Company's office computer system for normal Company operations including the development of the Company's products.