

05-22-2000



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**RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

U.S. Patent & TMO/TM Mail Rcpt Dt. #30

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

**Submission Type**

5.8.00

**Conveyance Type**

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

- 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

Name Advanced Cardiovascular Systems, Inc.

Execution Date  
Month Day Year  
04272000

Formerly \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization California

**Receiving Party**

Mark if additional names of receiving parties attached

Name Wholey, Dr. Mark H.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) Pittsburgh Vascular Institute - Shadyside Hospital

Address (line 2) 5230 Centre Avenue

Address (line 3) Pittsburgh

Pennsylvania

15232

City

State/Country

Zip Code

- Individual  General Partnership  Limited Partnership  Corporation  Association

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.)

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization United States

FOR OFFICE USE ONLY

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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: 002076 FRAME: 0446

**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="2,095,098"/>	<input type="text" value="1,399,966"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,608,963"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,608,962"/>	<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.)

Deposit Account Number:

#

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.

Michael D. Lazzara

5/4/2000

Name of Person Signing

Signature

Date Signed

## TRADEMARK ASSIGNMENT

**WHEREAS, ADVANCED CARDIOVASCULAR SYSTEMS, INC.**, a California Corporation having its principal offices at 3200 Lakeside Drive, Santa Clara, California 95054 (hereinafter "ASSIGNOR"), and Dr. Mark H. Wholey, an individual having a place of business at the Pittsburgh Vascular Institute, Shadyside Hospital, 5230 Centre Avenue, Pittsburgh, Pennsylvania 15232 (hereinafter "ASSIGNEE"), have entered into an agreement pertaining to the transfer by ASSIGNOR of certain trademarks to ASSIGNEE;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **ASSIGNOR** distributes, assigns, and transfers to **ASSIGNEE**, its successors and assigns, the entire right, title and interest in and to the trademarks and trademark registrations as identified in Schedule A attached ("marks"), together with the goodwill of the business in which the marks are used, along with any and all rights of enforcement with respect thereto, including all rights to sue or recover for the past infringement thereof, and any and all causes of action related thereto. **ASSIGNOR** retains no ownership rights in the properties transferred to **ASSIGNEE** hereunder. **ASSIGNEE** may apply for and receive registration of the marks in its own name wherever so permitted by law.

**ASSIGNOR** shall, when requested by the **ASSIGNEE**, execute all rightful oaths, assignments and powers of attorney, including but not limited to the right to file and prosecute in its own name, wherever so permitted by law, mark applications, including corresponding foreign applications, and to claim priority of mark applications pursuant to the international convention, to the **ASSIGNEE** and to agents and legal representatives of the **ASSIGNEE** and all other papers necessary and proper to carry out the intent and purpose of this Assignment.

IN WITNESS WHEREOF, ASSIGNOR has caused this Assignment to be executed by its duly authorized representative on this 27<sup>th</sup> day of APRIL, 2000.

**ADVANCED CARDIOVASCULAR SYSTEMS, INC.**

Signature: 

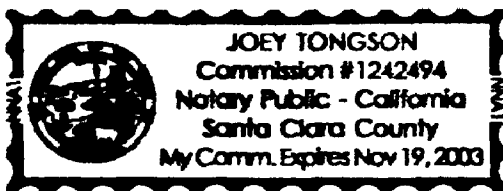
Printed Name: Eric Le Royer

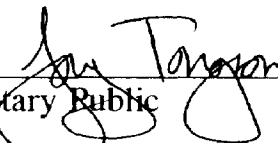
Title: Vice President, Carotid and Peripheral Systems

State of CALIFORNIA )  
  ) SS  
County of SANTA CLARA )

On this 27<sup>th</sup> day of APRIL, 2000, before me personally appeared  
Eric Le Royer (authorized representative), proved to be

on the basis of satisfactory evidence to be the person who executed the above Assignment as  
Vice President, Carotid and Peripheral Systems (title) on behalf of **ADVANCED CARDIOVASCULAR SYSTEMS, INC** and acknowledged that the corporation executed it. WITNESS my hand and official seal.



  
Notary Public

**Schedule A**

<b><u>Trademark</u></b>	<b><u>United States Reg. No.</u></b>
WHOLEY	n/a
WHOLEY HI-TORQUE MODIFIED J	2,095,098
WHOLEY HI-TORQUE STANDARD	1,608,963
WHOLEY HI-TORQUE FLOPPY	1,608,962
WHOLEY HI-TORQUE	1,399,966