



(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
Tab settings

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

1. Name of conveying party(ies):

Nutrition Medical, Inc.

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

2. Name and address of receiving party(ies)

Name: **Zevex, Inc.**

Address: **4314 Zevex Park Lane**

Salt Lake City, Utah 84123

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: June 29, 2000

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

If this document is being filed together with a new application, the execution date of the application is:

A. Trademark Application No.(s)

B. Registration No.(s)

1,691,325

Additional numbers attached? Yes No

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

Name: Randall B. Bateman

Internal Address: MORRISS, BATEMAN, O'BRYANT

& COMPAGNI, P.C.

Street Address: 5882 South 900 East, Suite 300

City: Salt Lake City State: Utah ZIP: 84121

08/21/2000 DNGUYEN 00000247 1691325

6. Total number of applications and trademarks involved: 1

7. Total fee (37 CFR 3.41) \$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

50-0881 (Deficiencies Only)

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

FC:481

40.00 DP

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 of the original document.

Randall B. Bateman

Name of Person Signing

Signature

7-18-2000

Date

Total number of pages including cover sheet, attachments, and document: 3

TRADEMARK

REEL: 002123 FRAME: 0390

ASSIGNMENT

WHEREAS, NUTRITION MEDICAL, INC. (hereinafter referred to as "ASSIGNOR"), being an Minnesota Corporation, having a principal place of business at 9850 51st Avenue, Minneapolis, Minnesota is the assignee of certain right, title, and interest in and to the trademark NEWPAK, (hereinafter referred to as the "Mark"), which is registered in the United States Patent and Trademark Office as Registration No. 1691325, having a registration date of June 9, 1992 (hereinafter referred to as the "registration"); and

WHEREAS, ZEVEX, INC. (hereinafter referred to as "ASSIGNEE"), a corporation duly organized and existing under the laws of the State of Delaware, having a principal business office at 4314 Zevex Park Lane, Salt Lake City, Utah, is desirous of acquiring all right, title and interest in and to the Mark held by ASSIGNOR, and the above-identified registration;

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration paid to the ASSIGNOR by the ASSIGNEE, the receipt and sufficiency of which is hereby acknowledged, THE ASSIGNOR HEREBY ASSIGNS TO THE ASSIGNEE any and all right, title and interest which it may hold in and to the Mark in connection with Enteral Feeding Tubes, Pumps and Delivery Sets for Human Use (international trademark class 10), the above-identified registration, and any registration issuing therefrom, together with the goodwill of the business symbolized by and associated with the Mark.

The ASSIGNOR hereby authorizes and requests the United States Commissioner of Patents and Trademarks to issue any and all certificates of registration of the Mark to the ASSIGNEE as the owner of the entire interest of said Mark, for the sole use and behoof of the said ASSIGNEE, its successors, assigns and legal representatives.

