

12-31-2001



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SHEET

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TRADEMARKS

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

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID #
- Correction of PTO Error
Reel # Frame #
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Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
- Merger Effective Date
Month Day Year
- Change of Name
- Other

Conveying Party

Mark additional names of conveying parties attached

Name

Execution Date
Month Day Year

Formerly

- Individual General Partnership Limited Partnership Corporation Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

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- Individual General Partnership Limited Partnership
- Corporation Association
- Other

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.)

- Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

12/31/2001 LMUELLER 00000005 78009073

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Mail documents to be recorded with required cover sheet(s) information to:
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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 W 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)		
<input type="text" value="78/009073"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<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

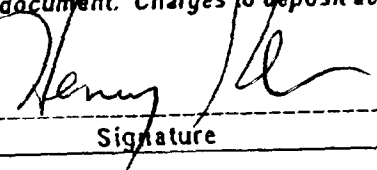
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)
Deposit Account Number:

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.

HENRY KLEIN



November 15, 2001

Name of Person Signing

Signature

Date Signed

UNITED STATES

IN THE MATTER OF TRADEMARK:

CYTOMICS, Application No. 78/009073

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Ladas & Parry, whose postal address is 5670 Wilshire Boulevard, Suite 2100, Los Angeles, California, 90036, United States of America, is hereby designated applicant's representative upon whom notices or process in proceedings affecting the mark may be served.

POWER OF ATTORNEY

Registrant hereby revokes all previous Powers of Attorney and hereby appoints jointly and severally,

RICHARD P. BERG, MAVIS S. GALLENSON, M. IRIS HESS,
HENRY KLEIN, and KAM C. LOUIE

all members of the Bar of the State of California and KEVIN P. STEINMAN, a member of the bar of Oklahoma, c/o Ladas & Parry, 5670 Wilshire Boulevard, Suite 2100, Los Angeles, California, 90036, United States of America, to act as its agent with full power of substitution, the power of appointment of an associate attorney and the power of revocation, and to ^{record an assignment} ~~take all action and to receive all communications~~ with respect to the Trademark(s):

CYTOMICS, Application No. 78/009073

BECKMAN COULTER, INC.

[Corporate Seal]

By William H. May [Title]
William H. May
Vice President, General Counsel
and Secretary
Date November 6, 2001

Address: 4300 N. Harbor Boulevard
Fullerton, California 92835

UNITED STATES OF AMERICA

ASSIGNMENT

WHEREAS, the ASSIGNOR, Dr. Frederick P. Roth, a citizen of the United States of America, located at 7 Hay Road, Newton, Massachusetts (hereinafter called the ASSIGNOR) has adopted and has filed the following intent-to-use trademark application for registration in the United States Patent and Trademark Office:

Trademark: CYTOMICS, No. 78/009073

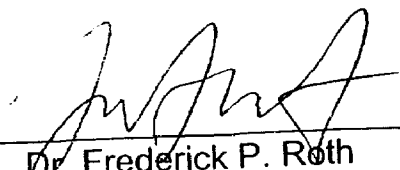
AND WHEREAS, the ASSIGNEE, Beckman Coulter, Inc., a corporation organized and existing under the laws of the State of Delaware, United States of America, located at 4300 Harbor Boulevard, Fullerton, California (hereinafter called the ASSIGNEE) is desirous of acquiring the right, title and interest in and to the said trademark and/or the registration thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the said ASSIGNOR by these presents does sell, assign and transfer unto the said ASSIGNEE, its successors and assigns, all right, title and interest in and to the said trademark application and/or registration thereof, together with that part of the goodwill and the underlying portion of the ASSIGNOR'S business connected with the use of and symbolized by the said trademark.

THE ASSIGNOR shall retain the domain names previously registered and identified as follows: cytomics.com; cytomics.org; and cytomics.net. The ASSIGNOR, his heirs, licensees and/or successors in interest of these domain names shall not cause confusion, mistake, and/or create a false affiliation, connection, or association by the use of these identified domain names and/or the content provided thereunder, with the corporate identity of the ASSIGNEE and/or its trademarks, including the trademark assigned herein.

THE ASSIGNOR agrees to execute any documents, as necessary, to enable the recording of this assignment document with the United States Patent & Trademark Office.

IN WITNESS WHEREOF, the said ASSIGNOR has hereunto executed this instrument this 23rd day of October, 2001.



Dr. Frederick P. Roth