

01-03-2002

Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)



U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

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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):

AESCULAP, INC

- Individual(s)
- General Partnership
- Corporation-State
- Other \_\_\_\_\_
- Association
- Limited Partnership

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

Execution Date: November 29, 2001

2. Name and address of receiving party(ies)

Name: AESCULAP AG & Co. KG

Internal Address: \_\_\_\_\_

Street Address: Am Aesculap-Platz

City: Tuttlingen State: Germany Zip: D-78532

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State \_\_\_\_\_
- 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,215,358

Additional number(s) attached  Yes  No

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

Name: Horst M. Kasper

Internal Address: \_\_\_\_\_

Street Address: 13 Forest Drive

City: Warren State: N.J Zip: 07059

6. Total number of applications and registrations involved: 1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

11-0224

(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 of the original document.

Horst M. Kasper  
Name of Person Signing

[Signature]  
Signature

December 21, 2001  
Date

Total number of pages including cover sheet, attachments, and document: 6

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

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TRADEMARK  
REEL: 2415 FRAME: 0882

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23. OKT. 2001

Markenstelle PL-LA

DESIGNATION OF DOMESTIC REPRESENTATIVE

Mark: **INSTACOUNT** Serial No: 75/288625  
 Filing Date: May 8, 1997 Class: 09  
 Registration No.: 2,215,358 Registration Date: **December 29, 1998**  
 Assignee: **AESULAP AG & Co. KG**

Assignee's address: **Am Aesculap-Platz,  
 D-78532 Tuttlingen,  
 Federal Republic of Germany**

*Horst M. Kasper*, whose postal address is *13 Forest Drive, Warren, N.J. 07059*, is hereby-designated applicant's representative upon whom notices or process in proceedings affecting the mark may be served.

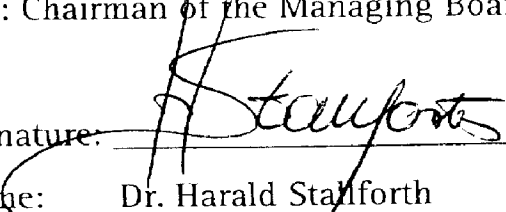
Date: 10/17/2001 AESULAP AG & Co. KG

Signature: 

Name: Prof. Dr. Dr. Dr. h.c. Michael Ungethüm

Title: Chairman of the Managing Board of Directors

Date: 10/17/2001

Signature: 

Name: Dr. Harald Stallforth

Title: Executive Vice President Research and Development

\*%PC19:d:designation(BRA923(September 25, 2001(tm

## ASSIGNMENT

*WHEREAS*, **AESCULAP, INC.**, a corporation organized under the laws of California, located and doing business at 1000 Gateway Boulevard South, San Francisco, California 94010 (hereafter "assignor") is the owner of the following trademark registered in the United States Patent and Trademark Office:

Mark: **INSTACOUNT**

Reg. No.: **2,215,358**

Reg. Date: **December 29, 1998**

and


*WHEREAS*, **AESCULAP AG & Co. KG**, a corporation existing under the laws of the Federal Republic of Germany, located and doing business at Am Aesculap-Platz, D-78532 Tuttlingen, Federal Republic of Germany, (hereafter "assignee") is desirous of acquiring any and all rights that Assignor may have in and to the said trademark and the registration therefore, together with the goodwill of the business in connection with which the said mark is used and which is symbolized by the said trademark, along with the right to recover for damages and profits for past infringements thereof;

*NOW, THEREFORE*, for one Dollar and for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign unto Assignee all right, title and interest in and to the said trademark and the registration therefore for

the United States and throughout the world together with the goodwill of the business in connection with which the said trademark is used and which is symbolized by the said trademark along with the right to recover for damages and profits for past infringements thereof;

In witness whereof, we have hereunto set our hands and affixed our

seals .....29th day of .....November.....A.D. 2001.

Signature:   
Name: DIKE KUYPER  
Title: COO

WITNESS: Susan J. Mitchell

DATE: 11/29/01

c:Tassig(BRA923AS(2,215,358(September 25, 2001(tm

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: AESCULAP, INC  
 Serial No. : 75/288,625 Filing date : May 8, 1997  
 Mark: INSTACOUNT Class(es): 9  
 Reg. No.: 2,215,358 Reg. date: December 29, 1998  
 Assignee: AESCULAP AG & Co. KG  
 Examiner: Law Office:

December 21, 2001

Attorney's Docket No.: BRA923

**TRANSMITTAL LETTER**

Assistant Commissioner for Trademarks  
 Box: Assignment Division  
 2900 Crystal Drive  
 Arlington, Virginia 22202-3513



12-26-2001

U.S. Patent & TMO/TM Mail Rpt Dt. #70

SIR:

Transmitted herewith for filing is:

- <X> **Recordation Form Cover Sheet Form PTO-1594**
- <X> **Assignment (2 pages)**
- <X> **Designation of Domestic Representative (1 page)**
- <X> **Fee in the amount of \$40.00 is to be charged to a credit card. Form PTO-2038 is enclosed.**

<> Enclosed is a check to cover the fee in the amount of \$ \_\_\_\_\_

<X> The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, 1.17 and 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-O224. A duplicate copy of this sheet is enclosed. If and only if(r) account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703) 415-0579, who will pay immediately to avoid deprivation of rights.

<> Please charge my Deposit Account No.11-O224 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed. A signature or signatures required for the above-recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above-recited document(s).

*Horst M. Kasper*  
 Horst M. Kasper, 13 Forest Drive, Warren, N.J. 07059  
 Reg. No. 28,559 Tel.(908) 526-1717

**CERTIFICATE OF MAILING under 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202, on ~~December 20, 2001~~ 12/21/01

Signature: *Radoslaw Krajewski*

Name: Radoslaw Krajewski TADEUSZ MATWIEJCZAK

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