

07-30-2002

7



102172682

...ed original documents or copy thereof.

To the Honorable Commissioner of Patent

1. Name of conveying party(ies):

MedPointe Capital Partners, LLC

07/12/02

- Individual(s)
- General Partnership
- Corporation-Delaware
- Delaware Limited Liability Company
- Association
- Limited Partnership

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

2. Name and address of receiving party:

MedPointe, Inc.  
265 Davidson Avenue, Suite 300  
Somerset, NJ 08875-6833

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

Domestic representative is attached:  Yes  No  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

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

Execution Date: July 3, 2002

4. (A.) Trademark Application No.(s)

76/296,730  
76/305,709

4. (B.) Trademark Registration No.(s)

Additional numbers attached?  Yes  No

5. Correspondence should be mailed to:

Stephen J. Quigley, Esq.  
Abelman Frayne & Schwab  
150 East 42<sup>nd</sup> Street  
New York, NY 10017-5612

6. Total number of applications and registrations involved:..... 2

Date of Deposit: July 8, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail on the date indicated above and is addressed to the Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513

Stephen J. Quigley

(Name of person mailing paper or fee)

(Signature of person mailing paper or fee)

7. Total fee (37 CFR 3.41): ..... \$ 65

Enclosed  
(The said Deposit Account should be charged for any official fee not fully covered by the enclosed check)

Authorized to be charged to deposit account  
Deposit account number:

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

07/30/2002 AMMED1 00000040 76296730

DO NOT USE THIS SPACE

01 FC:401 40.00 OP  
02 FC:702 25.00 OP

I hereby certify that the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stephen J. Quigley  
Name of Person Signing

Signature Date

July 8, 2002

Total number of pages comprising cover sheet:

1

*mas*

**CONFIRMATORY TRADEMARK ASSIGNMENT**

WHEREAS MedPointe Capital Partners, LLC, a Delaware limited liability company, with a place of business at 51 JFK Parkway, Short Hills, New Jersey 07078 (“Assignor”), adopted for its business the following marks (“the Marks”):

MEDPOINTE – U.S. Trademark Appln. No. 76/296,730

MEDPOINTE (stylized) – U.S. Trademark Appln. No. 76/305,709

WHEREAS MedPointe, Inc., a Delaware corporation with a place of business at 265 Davidson Avenue, Suite 300, Somerset, New Jersey 08875-6833 (“Assignee”), desired to acquire the Marks and the goodwill of the business associated therewith.

WHEREAS, heretofore, on September 28, 2001, Assignor sold, assigned and transferred to Assignee its entire right, title and interest in and to the Marks, together with that part of the goodwill of the business in connection with which the Marks are used and which is symbolized by the Marks.

NOW, THEREFORE, for good and valuable consideration, already received and hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee the entire right, title and interest in and to the Marks, together with the goodwill of the business symbolized thereby, and the right to recover damages and profits for past infringement.

IN WITNESS WHEREOF, Assignor causes this Confirmatory Assignment to be executed by its duly authorized officer, effective as of September 28, 2001.

MedPointe Capital Partners, LLC

By: 

James S. Burns

President and Chief Operating Officer

Executed at Somerset, NJ

this 3<sup>rd</sup> day of July 2002