

07-30-2002

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



Y

To the Honorable Commissioner of Pat

102172694

Attached original documents or copy thereof.

1. Name of conveying party(ies):

MedPointe Capital Partners, LLC

7.12.02

- 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 _____

3. Nature of conveyance:

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

Execution Date: July 3, 2002

Domestic representative is attached: Yes No

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

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 42nd 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)

DO NOT USE THIS SPACE

8. 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.

Stephen J. Quigley
Name of Person Signing

Signature

July 8, 2002

Date

Total number of pages comprising cover sheet:

1

UNITED STATES

REVOCATION and

Mark: MEDPOINTE

POWER OF ATTORNEY

Appln. No.: 76/296,730 ✓

Applicant: MedPointe, Inc.

POWER OF ATTORNEY

Applicant hereby revokes all previous Powers of Attorney and appoints jointly and severally, with full power of substitution, the power of appointment of an associate attorney, and the power of revocation:

Lawrence E. Abelman
Jeffrey A. Schwab
Victor M. Tannenbaum
Peter J. Lynfield
Alan J. Hartnick
Caridad Piñeiro Scordato
Julianne Abelman

Jonathan W. Gumport
Marsha G. Ajhar
Norman S. Beier
Thomas E. Spath
Julie B. Seyler
Marie-Anne Mastrovito

members of the Bar of the State of New York, whose address is

ABELMAN, FRAYNE & SCHWAB
150 East 42nd Street
New York, NY 10017-5612

to transact all business in the Patent and Trademark Office in connection with our trademarks, applications therefor, and registrations which have or will issue thereon.

Date: July 3, 2002

By: 

Name: James S. Burns

Title: President and Chief Operating Officer

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 3rd day of July 2002