

10-16-2002



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

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DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies): Encore Medical Corporation 9800 Metric Boulevard Austin, TX 78758 10-9-02 [] Individual(s) [] Association [] General Partnership [] Limited Partnership [x] Corporation-State [] Other Additional name(s) of conveying party(ies) attached? [] Yes [x] No

2. Name and address of receiving party(ies) Name: Encore Medical Asset Corporation Internal Address: Street Address: 2920 North Green Valley Pkwy, Bldg. 3, Suite 321 City: Henderson State: NV Zip: 89014 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [x] Corporation-State Nevada [] Other If assignee is not domiciled in the United States, a domestic representative designation is attached: [] Yes [x] No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? [] Yes [x] No

3. Nature of conveyance: [x] Assignment [] Merger [] Security Agreement [] Change of Name [] Other Execution Date: 10/3/2002

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) 1,012,936 Additional number(s) attached [] Yes [x] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Harry L. Zimmerman Internal Address: Encore Medical Asset Corp. Street Address: 9800 Metric Boulevard City: Austin State: TX Zip: 78758

6. Total number of applications and registrations involved: 1 7. Total fee (37 CFR 3.41) \$ 40.00 [x] Enclosed [] Authorized to be charged to deposit account

8. Deposit account number:

9. Signature. Harry L. Zimmerman Name of Person Signing [Signature] Signature 10-4-02 Date

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

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: 002598 FRAME: 0875

TRADEMARK ASSIGNMENT

WHEREAS, Encore Medical Corporation, a Delaware corporation having a place of business at 9800 Metric Boulevard, Austin, Texas 78758 ("EMC"), is the owner of the Trademark and the Registration thereof in the United States of America (hereinafter TRADEMARK), as follows:

U.S. TRADEMARK

WARM 'N FORM	1,012,936	June 10, 1975
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WHEREAS, EMC desires to transfer its entire right, title and interest in and to said TRADEMARK, said registration thereof, and the goodwill of the business symbolized thereby to its subsidiary, Encore Medical Asset Corporation, a Nevada corporation having its principal place of business at 2920 North Green Valley Parkway, Building 3, Suite 321, Henderson, Nevada 89014 ("EMAC");

NOW, THEREFORE, in consideration of the sum of One United States Dollar (U.S.\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, EMC hereby sells, assigns, transfers and sets over unto EMAC the entire right, title and interest of EMC in and to said TRADEMARK, together with said registration thereof and the goodwill of the business symbolized thereby.

Signed in Austin, Texas this 4th day of October, 2002.

ENCORE MEDICAL CORPORATION

By: _____
 Harry L. Zimmerman,
 Executive Vice President – General Counsel

 State of Texas }
 }
 County of Travis }

ss:

On this 4th day of October, 2002, personally appeared Harry L. Zimmerman to me known and known to me to be the Executive Vice President – General Counsel of Encore Medical Corporation, and acknowledged that he executed the foregoing Assignment on behalf of Encore Medical Corporation and pursuant to authority duly received.



Kathleen A. Wiederkehr
 Notary Public
 My commission expires on: Dec 17, 2005