

01-22-2003

Docket No.:

0748-037



Tab settings

To the Honorable Commissioner of Patents

102343618

Attached original documents or copy thereof.

1. Name of conveying party(ies):

MAXXIM MEDICAL, INC. 2003 JAN 16 AM 10:30

FINANCE SECTION

146-03

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other

Additional names(s) of conveying party(ies)  Yes  No

3. Nature of conveyance:

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

Execution Date: December 18, 2002

2. Name and address of receiving party(ies):

Name: MEDICAL ACTION INDUSTRIES INC.

Internal Address:

Street Address: 800 Prime Place

City: Hauppauge State: NY ZIP: 11787

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

If assignee is not domiciled in the United States, a domestic designation is  Yes  N  
(Designations must be a separate document from Additional name(s) & address(es)  Yes  N

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,265,467; 1,385,878; 1,366,540;  
1,456,371; 2,245,397; 1,959,702.  
1,324,568; 2,201,150;

Additional numbers  Yes  No

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

Name: Meyer A. Gross, Esq.

Internal Address:

Schweitzer Cornman Gross & Bondell LLP

Street Address: 292 Madison Avenue

19th Floor

City: New York State: NY ZIP: 10017

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

8

7. Total fee (37 CFR 3.41):.....\$ \$215.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

19-0748

01/21/2003 DBYRNE 00000017 1265467

DO NOT USE THIS SPACE

01 FC:8521 40.00 OP  
02 FC:8522 175.00 OP

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.

Meyer A. Gross

Name of Person Signing

Signature

January 10, 2003

Date

Total number of pages including cover sheet, attachments, and

3

TRADEMARK

Attorney Docket: 0748-037

**NUNC PRO TUNC ASSIGNMENT**

WHEREAS, MAXXIM MEDICAL, INC., a corporation organized and formally existing under the laws of the State of Delaware, located at 4750 118<sup>th</sup> Avenue North, Clearwater, Florida 33762 (the "Assignor"), had adopted, used, was using and was the owner of record of the entire right, title and interest in and to the marks and the registrations thereto listed on Exhibit A annexed hereto (collectively, the "Trademarks"); and

WHEREAS, MEDICAL ACTION INDUSTRIES INC., a corporation organized and formally existing under the laws of the State of Delaware, located at 800 Prime Place, Hauppauge, New York 11787 (the "Assignee"), on October 25, 2002, acquired said trademarks, the registrations thereof, and the good will symbolized by the marks; and

WHEREAS, the parties wish to reaffirm and ratify the assignment of October 25, 2002, to identify and transfer to the Assignee the marks and registrations thereof and to formalize said assignment for purposes of recordation;

NOW, THEREFORE, for One (\$1.00) Dollar and other good and valuable consideration, received from the Assignee, the receipt and sufficiency of which is hereby acknowledged, Assignor has sold, assigned and transferred and by these presents, does hereby sell, assign and transfer, nunc pro tunc, as of October 25, 2002 unto the said Assignee all rights, title and interest in and to the said marks together with the good will of the business symbolized by the marks and the registrations thereof, and the right to sue and collect for past infringements thereof, this 18<sup>th</sup> day of December 2002.

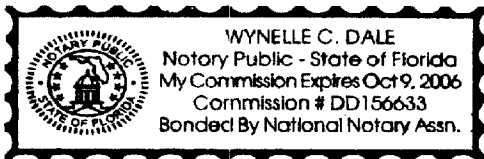
MAXXIM MEDICAL, INC.

By: *Dennis Cochill*  
Name: Dennis Cochill  
Title: Executive Vice President Finance

STATE OF FLORIDA            )  
  : ss.:  
COUNTY OF PINELLAS)

On this 18<sup>th</sup> day of December 2002, before me personally appeared Dennis Cochill, the person who signed the foregoing NUNC PRO TUNC ASSIGNMENT, who acknowledged to me that he signed it as a free act and on behalf of MAXXIM MEDICAL, INC.

[SEAL]



*Wynelle C. Dale*  
Notary Public

12/17/02 TUE 18:49 [TX/RX NO 6135]

**EXHIBIT A**

<b><u>Trademark:</u></b>	<b><u>Registration No.:</u></b>	<b><u>Registration Date:</u></b>
WINFIELD	1,265,467	01/31/1984
WINFIELD	1,456,371	09/08/1987
SHARPS-TAINER	1,324,568	03/12/1985
CHEMO-TAINER	1,385,878	03/11/1986
WINFIELD MEDICAL	2,245,397	05/18/1999
WINFIELD MEDICAL	2,201,150	11/03/1998
SHARPSGARD 2000	1,366,540	10/22/1985
VECTOR	1,959,702	03/05/1996