

04-23-2003

APR 1 2003

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

102427489

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

1. Name of conveying party(ies):

ASTA Medica AG

4-103

- Individual(s) Association General Partnership Limited Partnership Corporation-State Other Joint Stock Company of Germany

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

2. Name and address of receiving party(ies)

Name: SOFOTEC GmbH & Co. KG

Address: Weismuellerstrasse 45, D-60314

Address: Frankfurt am Main, Germany

City: State: Zip:

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Other Limited Liability Company of Germany

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other Assignment Nunc Pro Tunc

Execution Date: November 5, 2001

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2360389

2399041, 2415036

Additional number(s) attached Yes No

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

Name: Scott D. Woldow

Internal Address: Smith, Gambrell & Russell LLP

Suite 800

Street Address: 1850 M Street NW

City: Washington DC State: Zip: 20036

6. Total number of applications and registrations involved:

3

7. Total fee (37 CFR 3.41) \$ 90.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

02-4300 For Overpayment or Underpayment

DO NOT USE THIS SPACE

9. Signature.

Scott D. Woldow

Name of Person Signing

Signature

Signature

April 1, 2003

Date

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

04/22/2003 ECOOPER 00000167 2360389

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

01 FC:6521 40.00 DP 02 FC:6522 50.00 DP

TRADEMARK REEL: 002716 FRAME: 0299

**POWER OF ATTORNEY**

The undersigned hereby APPOINTS:

Robert G. Weilacher  
Michael A. Makuch

Dennis C. Rodgers  
Scott D. Woldow

all members of the Bar of the District of Columbia,

Brandon S. Boss

2360389

a member of the Bar of the State of Louisiana; and

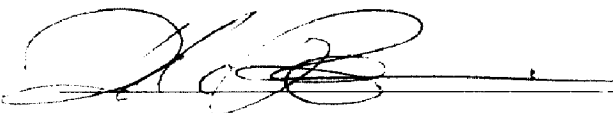
Elizabeth G. Borland  
Robert H. G. Lockwood  
Eric J. Hanson

Herbert M. Hanegan  
Joyce B. Klemmer  
J. Rodgers Lunsford III

all members of the Bar of the State of Georgia, and of the firm of Smith, Gambrell & Russell, L.L.P., to prosecute this application, with full power of substitution and revocation, and to transact all business in the Patent and Trademark Office in connection with the above-referenced application.

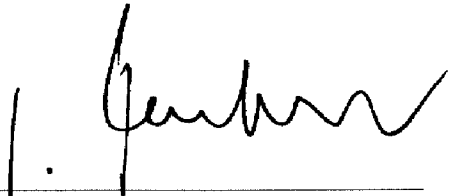
SOFOTEC GmbH & Co. KG

Date: 22.12.2000

Signature: 

Name: Dr. Markus Petersen

Title: Managing Director

  
Gerhard Rentschler  
Managing Director

#194422

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

**NAME OF REGISTRANT** : SOFOTEC GmbH & Co. KG (through  
an assignment from ASTA Medica  
Aktiengesellschaft)

**MARKS** : AIRJET Reg. No. 2360389  
NOVOLIZER Reg. No. 2399041  
PULMOJET Reg. No. 2415036

**ASSIGNMENT NUNC PRO TUNC  
OF UNITED STATES TRADEMARK REGISTRATIONS**

WHEREAS, ASTA Medica Aktiengesellschaft, a Joint Stock Company of Germany, with a principal place of business at Weismuellerstrasse 45 D-60314, Frankfurt am Main, Germany, has adopted and used the trademarks AIRJET, NOVOLIZER and PULMOJET, which are the subject of United States Trademark Registration Nos. 2360389 granted, June 20, 2000, 2399041, granted October 31, 2000 and 2415036 granted, December 26, 2000, and is the owner of the entire right, title, and interest in and to said trademarks and in and to said United States Trademark Registrations; and

WHEREAS, SOFOTEC GmbH & Co. KG, a limited liability company of Germany, with a principal place of business at Weismuellerstrasse 45 D-60314, Frankfurt am Main, Germany, is desirous of acquiring the aforesaid trademarks, the aforesaid trademark registrations, together with the goodwill of the business symbolized by said trademarks;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, ASTA Medica Aktiengesellschaft does hereby assign nunc pro tunc as of November 5, 2001, unto SOFOTEC GmbH & Co. KG, all right, title and interest in and to said trademarks and its United States Trademark Registrations, together with the goodwill of the business symbolized by said trademarks.

.../...

ASTA Medica Aktiengesellschaft does also hereby assign, sell, transfer and set over unto SOFOTEC GmbH & Co. KG all claims for damages for reason of past infringement of the said marks, as well as the right to sue for and collect the same for its own use and enjoyment.

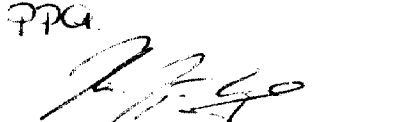
ASTA Medica Aktiengesellschaft

Date: 05.11.2001

Signature: 

Name: Freddy Sautermans

Title: Regional Manager OTB

Signature: 

Name: Hans-Juergen Kromp

Title: Head of Legal Department

#194416