



To the Honorable Commissioner

102431866

attached original documents or copy thereof.

1. Name of conveying party(ies):

QLT Inc.

4-18-03

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

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

3. Nature of conveyance:

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

Dated: November 8, 2000

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

Diomed, Inc.  
One Dundee Park, P.O. Box 97  
Andover, Massachusetts 01810

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

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

APR 18 2003

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

A. Trademark Application No.(s)

B. Trademark registration No.(s)

2055737

Additional numbers attached?  Yes  No

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

Perla M. Kuhn, Esq.  
Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York, New York 10004-1482  
(212) 837-6550  
kuhn@hugheshubbard.com

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41):.....\$40.00

- Enclosed
  - Authorized to be charged to deposit account
8. Deposit Account No.: 08-3264

DO NOT USE THIS SPACE

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.

Name of Person Signing

*Perla M. Kuhn*  
Perla M. Kuhn

April 16, 2003

Date

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

Mail documents to be recorded with required cover sheet information to:  
U.S. Patent and Trademark Office, Office of Public Records  
Crystal Gateway 4, Room 335, Arlington, VA 22202

CERTIFICATE OF MAILING

Express Mail Certificate No.: EU382241692US

I hereby certify that this correspondence is being deposited with the United States Postal Service in an Express Mail envelope addressed to the U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Arlington, VA 22202, on 04/18/2003 (Date of Deposit).

Elaine S. Parker

Signature

April 18, 2003

Date of Signature

04/24/2003 ECOOPER 00000154 2055737

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant : Diomed, Inc.  
Registration No. : 2,055,737  
Dated : April 22, 1997  
Trademark : OPTIGUIDE

POWER OF ATTORNEY

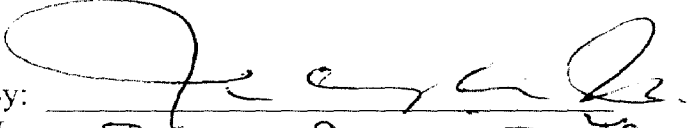
SIR:

In the matter of the above-identified Registration, Registrant hereby appoints PERLA M. KUHN, RONALD ABRAMSON, JAMES B. KOBAK, JR., JULIUS RABINOWITZ, EDWIN C. BULLOCK, PETER A. SULLIVAN, NATASHA N. REED, KRISTIN B. WHITING and ROBIN E. JACOBSON of the law offices of HUGHES HUBBARD & REED LLP, One Battery Park Plaza, New York, NY 10004-1482, its attorneys with full power of substitution and revocation and to and to transact all business in the Patent Office in connection therewith.

APPOINTMENT OF DOMESTIC REPRESENTATIVE

HUGHES HUBBARD & REED LLP, whose postal address is One Battery Park Plaza, New York, New York 10004-1482, United States of America, is hereby designated Registrant's representative upon whom notices of process in proceedings affecting the mark may be served.

DIOMED, INC.

By:   
Name: JAMES A. WYLIE, JR.  
Title: CHIEF EXECUTIVE OFFICER

Dated: 1 APRIL 2003

**OPTIGUIDE TRADE-MARK ASSIGNMENT**  
(marks held by QLT-BC)

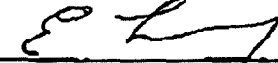
WHEREAS, QLT INC. (formerly QLT Phototherapeutics Inc.), of 887 Great Northern Way, Vancouver, British Columbia, Canada wishes to assign and transfer to DIOMED, INC. of 23 Main Street, Suite 240, Andover, Massachusetts, United States of America, any rights that it may have acquired in the trade-mark OPTIGUIDE.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that for the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, QLT INC., acknowledges that it has and does hereby sell, assign, transfer and quit claim to DIOMED, INC. all of QLT INC.'s right, title and interest in and to the trade-mark OPTIGUIDE and the goodwill associated therewith, and in and to any application for registration and any registration of such trade mark, as fully and entirely as the same would have been held and enjoyed by QLT, INC., had this sale, assignment, transfer and quit claim not been made.

EXECUTED at Vancouver, British Columbia, this 8<sup>th</sup> day of November, 2000.

QLT INC.

By:   
Name: Julia Levy  
Title: President and Chief Executive Officer

By:   
Name: Edwin Levy  
Title: Senior Vice-President, Corporate Development

## SCHEDULE 3.2.6

## OPTIGUIDE

## Worldwide Trademarks

Country	Trademark No.	App'n No	Status	Registrant	Wares/Services	Expiry Date	QLT Ref. #
United States	2055737	74/502189	Registered	QLT-US	Int'l Class 10: Medical devices, namely a fiber optic with an engineered tip at the distal end for use with medical lasers.	April 22, 2007	27301-24012.00
Benelux	552474	827601	Registered	QLT-BC-	Int'l Class 10: not translated.	May 25, 2004	27301-24012.40
France	95/569743	95/569743	Registered	QLT-BC	Int'l Class 10: not translated.	April 28, 2005	27301-24012.41
Italy	00736144	F195C504	Registered	QLT-BC	Int'l Class 10: surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.	May 18, 2005	27301-24012.42
Canada	TMA472710	650802	Registered	QLT-BC	Int'l Class 10: Treatment fibre and diffuser tip to be used in photodynamic therapy.	March 17, 2012	27301-24012.43

Draft  
10/16/00