

Form PTO-1594
(Rev. 03/01)

RECORDATION FORM COVER SHEET

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

OMB No. 0651-0027 (exp. 5/31/2002)
Our Ref.: T4088 US

TRADEMARK ONLY

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

1. Name of conveying party(ies):
Xomed, Inc.

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

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

2. Name and address of receiving party(ies)
Medtronic Xomed, Inc.
6743 Southpoint Drive North
Jacksonville, Florida

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

If assigned is not domiciled in the United States, a domestic representative designations 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 _____

Execution Date: October 28, 2003

4. Application number(s) or registration number(s)
A. Trademark Application No(s).

B. Trademark Registration Numbers(s)

1844281 TONO-PEN

Additional number(s) attached Yes No

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

Cindy Evenson
Medtronic, Inc.
M.S. LC340
710 Medtronic Parkway
Minneapolis, MN 55432-5604

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41) \$40
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number: 13-2546
(Attach duplicate copy of this page if paying by deposit account)

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.

Cindy L. Evenson
Name of Person Signing


Signature

11/4/03
Date

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

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

CH \$40.00 132546 1844281

TRADEMARK ASSIGNMENT

WHEREAS, Xomed, Inc. (hereinafter "Assignor"), a Delaware corporation, is the record owner of United States Trademark Registration Number 1,844,281 for the mark TONO-PEN;

WHEREAS, Medtronic Xomed, Inc. (hereinafter "Assignee"), a Delaware corporation having a principal place of business at 6743 Southpoint Drive North, Jacksonville, Florida is desirous of acquiring all right, title and interest in and to said registration;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Assignor has sold, assigned and transferred, and by these presents does hereby sell, assign and transfer unto the said Assignee, its successors or assigns, the entire right, title and interest in the United States in and to said trademark and said trademark registration, together with the goodwill and other incidents of its business associated with or symbolized by said trademark and by said trademark registration.

XOMED, INC.

Date: 10-28-03

By: 

Name: Jaime A. Frias

Title: General Counsel