



10-22-2003



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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2008)

RECORDATION TRADE MARK

DEPARTMENT OF COMMERCE Patent and Trademark Office

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

1. Name of conveying party(ies): 10-16-03
 Baxter International 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)

Name: RMS DM, LLC
 Internal Address: c/o Davita Inc.
 Street Address: 601 Hawaii Avenue
 City: El Segundo State: CA Zip: 90245

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State _____
 Other Delaware limited liability company
 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 Nunc Pro Tunc Trademark
 Execution Date: Assignment August 31, 2003

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

A. Trademark Application No.(s)
 B. Trademark Registration No.(s)
2705998

Additional number(s) attached Yes No

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

Name: Susan Neuberger Weller
 Internal Address: Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
 Street Address: 12010 Sunset Hills Road, Suite 900
 City: Reston State: VA Zip: 20190

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 number:
50-0311
 (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.

Susan Neuberger Weller [Signature] October 16, 2003
 Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: 2

10/21/2003 ECDUPER 00000200 2705998

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

TRADEMARK REEL: 002853 FRAME: 0761

NUNC PRO TUNC TRADEMARK ASSIGNMENT

WHEREAS, **BAXTER INTERNATIONAL INC.**, a Delaware corporation with a business address at One Baxter Parkway, Deerfield, Illinois, 60015 ("Assignor"), has adopted and used in commerce the trademark which is registered in the U.S. Patent and Trademark Office, Registration No. 2,705,998, registered April 16, 2003, for the mark **RENAL CONNECT** ("Mark"); and

WHEREAS, **RMS DM, LLC**, a Delaware limited liability company with a business address at c/o Davita Inc., 21250 Hawthorne Boulevard, Suite 800, Torrance, California, 90503-5517 ("Assignee") desires to acquire the Mark, registration, and the goodwill thereof.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby confirm the assignment to Assignee, effective June 30, 2003, of all right, title and interest in and to the Mark and U.S. Registration No. 2,705,998, the goodwill of the business symbolized by the Mark, and the right to sue and to recover for all infringements thereof, including past infringements.

BAXTER INTERNATIONAL INC.

By: 

Name: Thomas J. Sabatino, Jr.

Title: Senior Vice President

Date: August 31, 2003