

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
MedCath Incorporated		12/01/2004	CORPORATION: NORTH CAROLINA
RECEIVING PARTY DATA			
Name:	Columbia St. Mary's, Inc.		
Street Address:	4425 North Port Washington Road		
City:	Glendale		
State/Country:	WISCONSIN		
Postal Code:	53212		
Entity Type:	Not for Profit Corporation: WISCONSIN		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	78212848	HEART HOSPITAL OF MILWAUKEE	
CORRESPONDENCE DATA			
Fax Number:	(414)276-6281		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Email:	gvargas@vonbriesen.com		
Correspondent Name:	Galo I. Vargas		
Address Line 1:	411 East Wisconsin Avenue		
Address Line 2:	Suite 700		
Address Line 4:	Milwaukee, WISCONSIN 53202		
NAME OF SUBMITTER:	Galo I. Vargas		
Signature:	/Galo I. Vargas/		
Date:	01/04/2005		

OP \$40.00 78212848

Total Attachments: 3

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**TRADEMARK
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**ASSIGNMENT OF SERVICE MARK
AND ACCOMPANYING BUSINESS AND GOODWILL**

THIS ASSIGNMENT made effective as of the 1st day of December, 2004, by and between MEDCATH INCORPORATED, a North Carolina corporation, located at 10720 Sikes Place, Suite 300, Charlotte, North Carolina 28277, (hereinafter the "Assignor"), and COLUMBIA ST. MARY'S, INC., a Wisconsin nonstock, not-for-profit corporation, located at 4425 North Port Washington Road, Glendale, Wisconsin 53212, (hereinafter the "Assignee").

WHEREAS, Assignor is the owner of the service mark and the pending application for registration thereof in the United States Patent and Trademark Office more fully set forth on the attached Exhibit A, (the "Mark"), the goodwill of the business associated therewith and symbolized thereby, and all rights appurtenant thereto, including, but not limited to, all common law rights, all causes of action, all interests, claims and rights for damages, profits and other awards by reason of any past infringement, dilution, misappropriation or other violation thereof, and the right to sue therefor; and

WHEREAS, Assignee is desirous of acquiring and Assignor is desirous of assigning Assignor's rights in the Mark and all rights appurtenant thereto;

NOW, THEREFORE, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which Assignor acknowledges by its execution below:

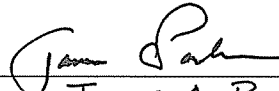
1. Assignor hereby assigns to Assignee all of its rights, title and interest in and to the Mark, together with the goodwill of the business connected with the use of and symbolized by said Mark and that portion of Assignor's business which pertains to the referenced intent-to-use application filed pursuant to Section 1(b) of the United States Trademark Act (15 U.S.C. § 1051, *et seq.*), and together with any and all interests, claims and rights for damages and profits by reason of any past infringement or unauthorized use of the Mark, false designations of origin, unfair competition, deceptive trade practices and/or dilution related to the Mark, use of confusingly similar marks or names by others and all other related causes of action and the right to sue therefor.

2. Assignor agrees to perform all reasonable and proper additional acts and to execute any additional documents at the request and expense of Assignee which Assignee may require in order to evidence the transfer of all rights, title and interest in and to the said Mark to Assignee, its successors or assigns.

IN WITNESS WHEREOF, we have hereto set our hand(s) on the dates set forth below.

MEDCATH INCORPORATED

Assignor

By: 
Name: James A. Parker
Title: Senior Vice President and Treasurer
Date: December , 2004

COLUMBIA ST. MARY'S, INC.

Assignee

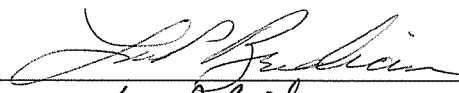
By: 
Name: Leo P. Brideau
Title: President and CEO
Date: December 1, 2004

EXHIBIT A

Mark	App. Serial No.	Filing Date	Classes	Services Descriptions	Status
HEART HOSPITAL OF MILWAUKEE & Design (heart logo)	78/212,848	02/10/2003	41, 44	Educational services, namely, conducting programs, seminars, conferences, workshops and health fairs relating to diseases and disease prevention measures and distributing educational materials in connection therewith (Cl. 41) Hospital, medical clinic and health care services, namely, preventive, diagnostic, therapeutic and surgical services (Cl. 44)	Notice of Allowance issued 01/06/04 Statement of Use or Extension Req. due 01/06/05