

02-10-2005

Form PTO-1594 (Rev. 06/04)
OMB Collection 0651-0027 (exp. 6/30/2005)

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



2-7-05

RECD
TK 102937943

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Rules-Based Medicine, Inc.

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

Citizenship (see guidelines) Delaware

Execution Date(s) 01/19/2005

Additional names of conveying parties attached? Yes No

3. Nature of conveyance:

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

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: The BioPhysical Corporation

Internal

Address:

Street Address: P.O. Box 201268

City: Austin

State: Texas

Country: U.S. Zip: 78720

- Association Citizenship
- General Partnership Citizenship
- Limited Partnership Citizenship
- Corporation Citizenship Delaware
- Other Citizenship

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)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

781309, 857

B. Trademark Registration No.(s) N/A

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

BIOCHEMICAL IMAGING

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

Name: Elizabeth Y. Schaefer

Internal Address:

Street Address: 9508 Notches Dr.

City: Austin

State: Texas Zip: 78748

Phone Number: 512-282-7470

Fax Number: 512-282-7311

Email Address: ChangSchaefer@cs.com

6. Total number of applications and registrations involved:

-1-

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers 1008
Expiration Date 01/07

b. Deposit Account Number

Authorized User Name

9. Signature:

Elizabeth Y. Schaefer
Signature

01/31/2005
Date

Elizabeth Y. Schaefer
Name of Person Signing

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

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK
REEL: 003118 FRAME: 0185

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TRADEMARK ASSIGNMENT

WHEREAS, Rules Based Medicine, Inc., a Delaware corporation with business address 3300 Duval Road, Suite 110, Austin, TX 78759 ("Assignor") has filed United States trademark application serial no. 78/309,857 for the mark BIOCHEMICAL IMAGING;

WHEREAS, The BioPhysical Corporation, a Delaware corporation with address P.O. Box 201268, Austin, TX 78720 ("Assignee"), desires to acquire any and all rights and goodwill associated with the Mark;

NOW THEREFORE, for goods and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, Assignor does hereby assign, effective as of January 19, 2005 unto Assignee all right, title and interest in and to the Mark, together with the associated goodwill of the business symbolized by the Mark and the ongoing and existing business associated with the Mark.

RULES-BASED MEDICINE, INC.

By: [Signature]

Name: T. Craig Benson

Title: President & COO

Date: 1/19/2005

STATE OF TEXAS

Travis COUNTY

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BEFORE ME, THE UNDERSIGNED AUTHORITY, on this 19 day of January, 2005, personally appeared T. Craig Benson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is authorized to execute the same on behalf of Rules-Based Medicine, Inc., and that he/she executed the same on behalf of the corporation for the purposes and consideration therein expressed.

By: [Signature]

Notary Public, State of Texas

Name Printed: Kelly S. Flanagan

