

02-18-2005

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0047 (exp. 5/31/2002) Tab settings

RECORDATION TRADEM



DEPARTMENT OF COMMERCE and Trademark Office

102944390

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

1. Name of conveying party(ies):  
B. Braun Melsugen Aktiengesellschaft

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

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

3. Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

Execution Date: January 25, 2005

2. Name and address of receiving party(ies)  
 Name: B. Braun Medizintechnologie GmbH  
 Internal \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Street Address: Carl-Braun-Strasse 1  
 City: Melsugen State: Germany Zip: D-34212

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State \_\_\_\_\_  
 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

4. Application number(s) or registration number(s):  
 A. Trademark Application No.(s)  
 \_\_\_\_\_  
 Additional number(s) attached  Yes  No

B. Trademark Registration No.(s) Reg. No.: 2,658,583  
Reg. No.: 2,770,762      Reg. No.: 2,903,093  
Reg. No.: 2,837,662      Reg. No.: 2,907,515

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Horst M. Kasper  
 Internal Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Street Address: 13 Forest Drive  
 \_\_\_\_\_  
 City: Warren State: N.J Zip: 07059

6. Total number of applications and registrations involved: ..... 5

7. Total fee (37 CFR 3.41).....\$ 140.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
11-0224

(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.*

Horst M. Kasper      [Signature]      2-7-05  
 Name of Person Signing      Signature      Date

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

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

02/17/2005 JJALLAH2 00000036 2770762  
01 FC:8521 40.00 OP  
02 FC:8522 100.00 OP

# ASSIGNMENT

WHEREAS, B. BRAUN MELSUNGEN AKTIENGESELLSCHAFT,

a corporation organized under the laws of the Federal Republic of Germany, located and doing business at Carl-Braun-Strasse 1, D-34212 Melsungen, Federal Republic of Germany (hereinafter „Assignor“) is the owner of the following trademarks registered in the United States Patent and Trademark Office:

**Device mark, Reg. No.: 2,658,583, Date: December 10, 2002;**

**H.E.L.P. + swirl design, Reg. No.: 2,770,762, Date: October 7, 2003;**

**H.E.L.P. + heart design, Reg. No.: 2,837,662, Date: May 4, 2004;**

**H.E.L.P. word, class 10, Reg. No.: 2,903,093, Date: November 16, 2004;**

**H.E.L.P. word, class 05, Reg.: No.: 2,907,515, Date: December 7, 2004**

and

WHEREAS, B. BRAUN MEDIZINTECHNOLOGIE GmbH, a corporation organized and existing under the laws of the Federal Republic of Germany located and doing business at Carl-Braun-Strasse 1, D-34212 Melsungen, Germany (hereinafter „Assignee“) is desirous of acquiring any and all rights that Assignor may have in and to the said trademarks and the registrations therefore, together with the goodwill of the business in connection with which the said marks are used and which is symbolized by the said trademarks, along with the right to recover for damages and profits for past infringements thereof;

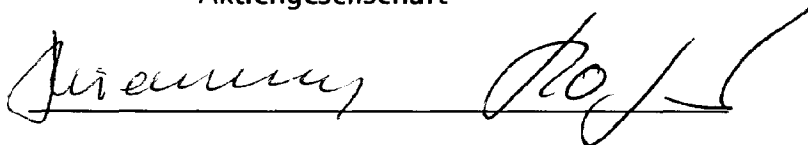
NOW, THEREFORE, for one Dollar and for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign unto Assignee all right, title and interest in and to the said trademarks and the registrations therefore for the United States and throughout the world together with the goodwill of the business in connection with which the said trademarks are used and which is symbolized by the said trademarks along with the right to recover for damages and profits for past infringements thereof;

In witness whereof, we have hereunto set our hands

on this 25<sup>th</sup> day of January A. D. 2005.

B. Braun Melsungen  
Aktiengesellschaft

Signature:



Name:

Harald Niemann

Klaus Hofer

Title:

Members of the Managing Board of Directors

WITNESS:



Friedhelm Dickel

Member of the Legal Department

DATE:

01/25/2005

**DESIGNATION OF DOMESTIC REPRESENTATIVE**

Trademarks:

**DEVICE** Serial No: 76/289,447  
(heart design) Registration No. 2,658,583  
Registration Date: December 10, 2002

**H.E.L.P.** Serial No: 76/289,446  
(swirl design) Registration No: 2,770,762  
Registration Date: October 07, 2003

**H.E.L.P.** Serial No: 76/289,445  
(heart design) Registration No: 2,837,662  
Registration Date: May 04, 2004

**H.E.L.P.** Serial No: 76/976,215  
(int. class 10)) Registration No: 2,903,093  
Registration Date: November 16, 2004

**H.E.L.P.** Serial No: 76/289,446  
int. class 05)) Registration No: 2,907,515  
Registration Date: December 07, 2004

Owner by Assignment: **B. BRAUN MEDIZINTECHNOLOGIE GmbH**

Owner's address: Carl-Braun-Strasse 1  
D-34212 Melsungen  
Federal Republic of Germany

**Horst M. Kasper**, whose postal address is **13 Forest Drive, Warren, N. J. 07059, Tel.: (908) 757-2839**, is hereby-designated applicant's representative upon whom notices or process in proceedings affecting the mark may be served.

**B. Braun ~~Medizin~~technologie GmbH**

Date: 01/25/2005

~Signature~ ..... 

<Name> Dr. Wolfgang Feller

<Title> Managing Director



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: B. Braun Melsungen Aktiengesellschaft  
Registration No.: 2,658,583 Registration Date: December 10, 2002  
Mark: LDL HEP PH 5.12 & Design Classes: 5, 10

Registrant: B. Braun Melsungen Aktiengesellschaft  
Registration No.: 2,770,762 Registration Date: October 7, 2003  
Mark: H.E.L.P. & design Classes: 5, 10

Registrant: B. Braun Melsungen Aktiengesellschaft  
Registration No.: 2,837,662 Registration Date: May 4, 2004  
Mark: H.E.L.P. LDL HEP PH 5.12 & design Classes: 5, 10

Registrant: B. Braun Melsungen Aktiengesellschaft  
Registration No.: 2,903,093 Registration Date: November 16, 2004  
Mark: H.E.L.P. Class: 10

Registrant: B. Braun Melsungen Aktiengesellschaft  
Registration No.: 2,907,515 Registration Date: December 7, 2004  
Mark: H.E.L.P. Class: 5

February 7, 2005

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TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
SIR:

Transmitted herewith for filing is:

<X> Assignment dated January 25, 2005 (1 page)

<X> Form PTO-1594

<X> Designation of Domestic Representative

(X) Form PTO-2038

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-O224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, 1.17 and 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-O224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Nettie P. Berlin, at (703) 521-4879, who will pay immediately to avoid deprivation of rights.

( ) Please charge my Deposit Account No.11-O224 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.

*Horst M Kasper*

Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059  
Reg. No. 28,559 Tel.(908)757-2839

Mailing Certification:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on.....*2/8/05*.....

Signature .....*H. Kasper*..... Date.....*2/8/05*.....

\*%pt1:trans2(bramis(February 7, 2005(am-mm