

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Medtronic Xomed, Inc.		01/04/2006	CORPORATION: DELAWARE

**RECEIVING PARTY DATA**

Name:	Reichert, Inc.
Street Address:	3374 Walden Avenue
City:	Depew
State/Country:	NEW YORK
Postal Code:	14043
Entity Type:	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 7**

Property Type	Number	Word Mark
Registration Number:	1837812	OCU-FILM
Serial Number:	78676202	OCU-SHIELD
Registration Number:	1844281	TONO-PEN
Registration Number:	2932700	
Serial Number:	78573107	TONO-PEN AVIA
Serial Number:	78612433	TONO-PEN AVIA POWERCEL
Serial Number:	78500266	TONO-PEN VET

**CORRESPONDENCE DATA**

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CH \$190.00 1837812

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ATTORNEY DOCKET NUMBER: 039159.00000 MEDTRONIC

NAME OF SUBMITTER: George L. Snyder, Jr.

Signature: /george l snyder jr/

Date: 01/04/2006

Total Attachments: 5  
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**TRADEMARK ASSIGNMENT**

THIS TRADEMARK ASSIGNMENT ("Assignment") is dated as of January 4, 2006.

WHEREAS, Medtronic Xomed, Inc., a Delaware Corporation, ("Assignor") is the owner of the trademarks and trademark applications and registrations attached as Schedule A hereto (collectively the "Marks").

WHEREAS, Reichert, Inc., a Delaware Corporation, ("Assignee"), is desirous of acquiring the Marks; and

WHEREAS, Assignee is a successor to the business of Assignor to which the Marks pertain, which business is ongoing and existing.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns to Assignee all right, title and interest in and to the Marks for the United States and throughout the world, together with the goodwill of the business associated therewith.

This Assignment includes all rights in the nature of trademark, service mark, and trade name rights, as well as the right to sue for past infringement by any third party.

Assignor agrees to execute any additional documents presented to Assignor by Assignee and to perform any other acts which are or may be reasonably necessary to evidence or perfect the assignment, including those reasonably necessary to effectuate the recordation of the assignment.

*(Signature Block on Following Page 2)*

IN WITNESS WHEREOF, each of the parties has caused this Trademark Assignment to be executed as of the last date written below.

MEDTRONIC XOMED, INC.

By: 

Its: Vice President

REICHERT, INC:

By: \_\_\_\_\_

Its: \_\_\_\_\_

IN WITNESS WHEREOF, each of the parties has caused this Trademark Assignment to be executed as of the last date written below.

MEDTRONIC XOMED, INC.

By: \_\_\_\_\_

Its: \_\_\_\_\_

REICHERT, INC.

By: John Burge

Its: Chief Executive officer

## EXHIBIT A

### Trademarks and Trademark Applications/Registrations

<u>Mark</u>	<u>Jurisdiction</u>	<u>Reg./Appl. No.</u>	<u>Filing/Reg. Date</u>
OCU-FILM	U.S.	1837812	May 31, 1994
OCU-SHIELD	AU	1066602	July 25, 2005
OCU-SHIELD	CA	1267050	July 25, 2005
OCU-SHIELD	EU	4572491	July 27, 2005
OCU-SHIELD	JP	68242/2005	July 25, 2005
OCU-SHIELD	U.S.	78/676202	July 22, 2005
TONO-PEN	AU	1047945	March 24, 2005
TONO-PEN	CA	1252797	March 30, 2005
TONO-PEN	EU	4379723	March 29, 2005
TONO-PEN	JP	4907858	November 11, 2005
TONO-PEN	U.S.	1844281	July 12, 1994
TONO-PEN & Design	U.S.	2932700	March 15, 2005
TONO-PEN AVIA	AU	1050463	April 12, 2005
TONO-PEN AVIA	CA	1254283	April 12, 2005
TONO-PEN AVIA	EU	4402285	April 13, 2005
TONO-PEN AVIA	JP	7899781	October 7, 2005
TONO-PEN AVIA	U.S.	78/573,107	February 23, 2005
TONO-PEN AVIA POWERCEL	AU	1071881	August 24, 2005
TONO-PEN AVIA POWERCEL	CA	1270778	August 25, 2005

TONO-PEN AVIA POWERCEL EU	4616801	August 26, 2005
TONO-PEN AVIA POWERCEL JP	83786/2005	September 7, 2005
TONO-PEN AVIA POWERCEL U.S.	78/612433	April 20, 2005
TONO-PEN VET AU	1049549	April 6, 2005
TONO-PEN VET CA	1253686	April 5, 2005
TONO-PEN VET EU	4385597	April 5, 2005
TONO-PEN VET JP	4884142	July 29, 2005
TONO-PEN VET U.S.	78/500266	October 15, 2004

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