

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
Fresenius USA Manufacturing, Inc.		11/29/2006	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	Fresenius Medical Care Holdings, Inc.		
Street Address:	920 Winter Street		
Internal Address:	Legal Dept - Trademarks		
City:	Waltham		
State/Country:	MASSACHUSETTS		
Postal Code:	02451-1457		
Entity Type:	CORPORATION: NEW YORK		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	1495603	PHOS-LO	
CORRESPONDENCE DATA			
Fax Number:	(781)699-9410		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	7816999000		
Email:	judith.siegel@fmc-na.com		
Correspondent Name:	Fresenius Medical Care		
Address Line 1:	920 Winter Street		
Address Line 2:	Legal Dept - Trademarks		
Address Line 4:	Waltham, MASSACHUSETTS 02451-1457		
ATTORNEY DOCKET NUMBER:	FUSA TO FMCH ASSIGNMENT		
NAME OF SUBMITTER:	Judith G Siegel		
Signature:	/judithgsiegel/		

CH \$40.00 1495603

Date:

12/05/2006

Total Attachments: 2

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ASSIGNMENT OF TRADEMARKS

WHEREAS, Fresenius USA Manufacturing, Inc. ("Assignor"), a corporation organized under the laws of the state of Delaware, having its principal place of business at 95 Hayden Avenue, Lexington, MA 02421, is the sole owner of the entire right, title and interest in and to the trademark PHOS-LO, including without limitation the Registrations and Applications listed on Schedule A attached hereto (cumulatively, the Trademarks); and;

WHEREAS, Fresenius Medical Care Holdings, Inc. ("Assignee"), a corporation organized under the laws of the state of New York, with its principal place of business at 920 Winter Street, Waltham MA 02451, is desirous of acquiring the entire right, title and interest in and to the Trademarks, together with the goodwill of the business in connection with which the Trademarks are used.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Assignor, does hereby assign unto said Assignee the entire right, title and interest in and to the Trademarks, and in and to the goodwill of the business in connection with which said Trademarks are used, the same to be held and enjoyed by said Assignee for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by said Assignor, if the assignment had not been made; together with all claims for damages by reasons of past infringement of said trademarks, with the right to sue for, and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns and other legal representatives.

IN WITNESS WHEREOF, and Assignor has caused this trademark assignment to be executed this 29th day of November, 2006.

By: _____

Name: Jules Jay Morris

Title: VP, Chief IP Counsel

29 Nov '06

TRADEMARK ASSIGNMENT-SCHEDULE A

I. United States Registrations and Pending Applications

<u>Mark</u>	<u>Registration/Application No.</u>
PHOS-LO	U.S. Trademark Registration Number 1,495,603; Registered July 12, 1988; Serial Number 73/696,792; Filed November 23, 1987

II. Foreign Registrations and Pending Applications

<u>Mark</u>	<u>Registration/Application No.</u>	<u>Jurisdiction</u>
PHOS-LO	Trademark Registration Number 188,518; Registered October 16, 1992; Serial Number 188,518; Filed October 31, 1988;	New Zealand
PHOS-LO	Trademark Registration Number 498,456; Registered July 22, 1992; Serial Number 498,456; Filed October 31, 1988	Australia
PHOS-LO	Trademark Registration Number 129,153; Registered July 2, 1991; Serial Number 4835/88; Filed November 2, 1988	Ireland
PHOS-LO	Trademark Registration Number 1,152,831; Registered July 1990; Serial Number B8584115WZ; Filed November 4, 1988	Germany
PHOS-LO	Trademark Registration Number 390,770; Registered November 29, 1991; Serial Number 623,371; Filed January 17, 1989	Canada
PHOS-LO	Trademark Registration Number 139,088; Registered August 7, 1995; Serial Number 26/94; Filed January 4, 1994	Finland
PHOS-LO	Trademark Registration Number 319,206; Registered August 4, 1995; Serial Number 3654/1994; Filed January 26, 1994	Korea
PHOS-LO	Trademark Registration Number 191,817; Registered February 1999; Serial Number 97/17430; Filed November 18, 1997	Turkey
PHOS-LO	Trademark Registration Number 849,960; Registered September 14, 2004	Mexico
PHOS-LO	Trademark Registration Number 3,664,984; Registered July 4, 2005	CTM

