

01-11-2002



U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

101941036

1.702

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID#
- Correction of PTO Error  
Reel #  Frame #
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Conveyance Type

- Assignment  License
- Security  Nunc Pro Tunc Assignment
- Merger
- Change of Name
- Other

Effective Date  
Month Day Year  
10/31/01

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year  
10/31/01

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

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Name

DBA/AKA/TA

Composed of

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City State/Country Zip Code

- Individual  General Partnership  Limited Partnership

- Corporation  Association

Other

Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

01/10/2002 TDIRZ1 00000115 2294780

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Mail documents to be recorded with required cover sheet(s) information to:  
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Enter for the first Receiving Party Only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. #

**Trademark Application Number(s) or Registration Number(s)**  Mark if additional numbers attached  
 Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2,294,780"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties** Enter the total number of properties involved. #

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$

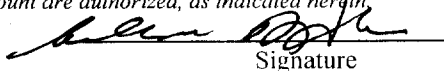
Method of Payment: Enclosed  Deposit Account   
 Deposit Account  
 (Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #   
 Authorization to charge additional fees: Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

Arlene D. Hanks  
 Name of Person Signing

  
 Signature

11-01-01  
 Date Signed

**ASSIGNMENT OF TRADEMARK AND ACCOMPANYING GOODWILL**

**WHEREAS**, Heart Hospital of BK, LLC, a North Carolina limited liability company, d/b/a Bakersfield Heart Hospital, (hereinafter the "Assignor"), is the owner of the trademark shown on the attached Schedule A and the registration therefor in the United States Patent and Trademark Office, all goodwill therein, and all rights appurtenant thereto, including, but not limited to, all common law rights, causes of action and the right to recover for past infringement, dilution or other misappropriation thereof, (hereinafter the "Trademark"); and

**WHEREAS**, MedCath Incorporated, a North Carolina corporation, whose address is 10720 Sikes Place, Suite 300, Charlotte, North Carolina, 28277, (hereinafter the "Assignee") is desirous of acquiring all of Assignor's rights, title and interest in and to the Trademark and all goodwill attendant thereto;

**NOW, THEREFORE**, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and for other good and valuable consideration, receipt 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 Trademark and the registration therefor in the United States Patent and Trademark Office, together with the goodwill of the business connected with the use of and symbolized by said Trademark, 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 Trademark, false designations of origin, unfair competition, deceptive trade practices and/or dilution related to the Trademark, 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 transfer all of Assignor's rights, title and interest in and to the said Trademark and trademark registrations to Assignee, its successors or assigns.

Executed this 31 day of OCTOBER, 2001.

Assignor:

HEART HOSPITAL OF BK, LLC d/b/a  
BAKERSFIELD HEART HOSPITAL

By: HHBF, INC., Manager

By:

Name:

Title:

James E. Harris  
JAMES E. HARRIS  
VICE PRESIDENT



**Schedule A**

**U.S. Trademark**

**Registered Marks**

<b>Mark</b>	<b>Registration No.</b>	<b>Date Registered</b>
MISCELLANEOUS DESIGN (Heart Design)	2,294,780	11/23/99