Form PTO-1594 RECORDATION FORM COVER SHEET U.S. DEPARTMENT OF COMMERC OMB No. 0651-0027 (exp. 6/30/2005) RECORDATION FORM COVER SHEET U.S. DEPARTMENT OF COMMERC U.S. Patent and Trademark Office					
Tab settings ⇔⇔ ♥ ▼ ▼					
To the Honorable Commissioner of Patents and Trademarks	: Please record the attached original documents or copy thereof.				
1. Name of conveying party(ies): SOMNUS MEDICAL TECHNOLOGIES, INC. 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	2. Name and address of receiving party(ies) Name: GYRUS ENT L.L.C. Internal Address: 2925 Appling Road City: Bartlett State: TN Zip: 38133 Individual(s) citizenship				
Security Agreement Change of Name	Other				
Other Execution Date: February 28, 2003	If assignce 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				
 Application number(s) or registration number(s): 					
A. Trademark Application No.(s) Additional number(s) att	B. Trademark Registration No.(s) 2,271,303; 2,206,753; 2,285,512; 2,367,751; 2,316,068; and 2,450,129 ached Yes No				
Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and				
Name: Edward N. Bachand	registrations involved:				
Internal Address: DORSEY & WHITNEY LLP	7. Total fee (37 CFR 3.41)\$ 240.00 Enclosed Authorized to be charged to deposit account				
Street Address: SUITE 3400	8. Deposit account number:				
FOUR EMBARCADERO CENTER	50-2319				
City: SAN FRANCISCO State: CA Zip: 94111					
9. Signature. DO NOT USE T	HIS SPACE				
Edward N. Bachand, Reg. No. 37,085 Name of Person Signing Sign	March /O, 2003 Date				
Total number of pages including cover cheet, attachments, and document: Mail documents to be recorded with required cover sheet information to					

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

TRADEMARK
REEL: 003351 FRAME: 0539

NO. 829 P. 1/7

			
	FORM PTO 1594 (Rev. 6-93) 7-12/1	05-200	
	1 5 P1 4 HARMAN		Patent and Trademark Offic
	1032	232587	riginal documents or copy thereof.
	Name of conveying party(ies):	2. Name	and address of receiving party(ies)
	SOMNUS MEDICAL TECHNOLOGIES, INC.	Name:	GYRUS ENT L.L.C.
		Internal	Address: 2925 Appling Road Rarlett
	Individual(s)	Street A	Address: 2925 Appling Road
	☐ Corporation-State		Barlett Tennessee ZIP: _38133
	Other	Individ	tual(s)
	Additional name(s) of conveying party(ies) attached? Yes No	Associ	ation
	3. Nature of conveyance:	│	ation
	Assignment Merger	🔼 Limite	u Liadinty Company - State Delaware
	Security Agreement Change of Name	Other	ration-State
	Other: To correct state of incorporation	If assignee is	not domiciled in the United States,
	Execution Date: February 28, 2003	a domestic rej	presentative designation is attached:
		Additional na	me(s) & address(es) artached Yes No
	4. Trademark Application Serial number(s):	 Trademarl	Registration number(s):
	A.		303; 2,206,753; 2,285,512;
		2,367,	751; 2,316,068; and 2,450,129
	Additional numbers att	ached? 🔲 🗅	803; 2,206,753; 2,285,512; 751; 2,316,068; and 2,450,129 五 第 第 公
	5. Name and address of party to whom correspondence	6. Total ?	Registration number(s): 303; 2,206,753; 2,285,512; 751; 2,316,068; and 2,450,129 Yes No Number of applications and ations involved: [6]
	concerning document should be mailed:	registra	ations involved:[6]
	Name: Edward N. Bachand		SE 38
	Internal Address: Dorsey & Whitney LLP	7. Total f	ee (37 CFR 3.41) \$240.00 \(\text{SE} \) \(\t
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	Street Address: SUITE 1000	☐ Au	thorized to be charged to deposit account
	555 CALIFORNIA STREET	<u> </u>	
	City: SAN FRANCISCO	9. Deposi	t account number: 50-2319
	State: <u>CALIFORNIA</u> ZIP: <u>94104-1513</u>		
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	10. Statement and signature.	E IIIIS SIFA	<u> </u>
	To the best of my knowledge and belief, the foregoing information	nostivo	and as and any official and
	the original document.		and any attached copy is a true copy of
	Edward N. Bachand	18	A 704 0005
	Name of person Signing Signature	7~~	April 24, 2006 Date
			Total number of pages comprising cover sheet: 4
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Ú±,	$ s_{0}^{2} _{\partial \Omega_{0}^{2}}$ $\{$ $ a_{0}^{2} _{\partial \Omega_{0}^{2}}$ $\}$ Director of the	e U.S. Patent a	nd Trademark Office ਤੁੰ
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	Public burden reporting for this sample cover sheet is estimated to average about 30 and gathering the data needed, and completing and reviewing the sample cover she. Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C.	0 minutes per d	ocument to be recorded, including time for reviewing the format
	and gathering the data needed, and completing and reviewing the sample cover sher Trademark Office. Office of Information Systems, PK2-1000C, Washington, D.C.	et. Send comm	ents regarding this burden estimate to the U.S. Patent and
į	Project (0651-0011), Washington, D.C. 20503.	40431, and to t	he Office of Management and Budget, Paperwork Reduction
	4827-1260-9280\1		194 (54 1.01

ASSIGNMENT OF TRADEMARKS

WHEREAS, Somnus Medical Technologies, Inc., a corporation of the State of California having its principal place of business at 2925 Appling Road, Bartlett, Tennessee 38133 ("Assignor"), is the sole owner of the entire right, title and interest in and to the United States and foreign trademarks and service marks, and trademark and service mark registrations listed in Schedule A attached hereto and hereby made a part hereof (collectively, the "Trademarks") free and clear of any lien, encumbrance, charge, equity or restriction.

WHEREAS, Gyrus ENT L.L.C., a Delaware registered company having a principal place of business at 2925 Appling Road, Bartlett, Tennessee 38133 ("Assignee"), is desirous of acquiring all rights Assignee has or may have, including the entire right, title and interest in and to the Trademarks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties have agreed to the following:

Assignor does hereby sell, assign, transfer and set over unto Assignee, its successors and assigns, the entire right, title and interest in and to the Trademarks, together with the good will of the business symbolized by the Trademarks, including but without limiting the generality of the foregoing, the right of priority to file corresponding applications in any and all countries, all claims for damages for infringement thereof, including past infringement, and the right to sue and collect such damages; the Trademarks to be held by Assignee for its own use and enjoyment and for the use and enjoyment of its successors and assigns as fully and entirely as they would have been held and enjoyed by Assignor had this assignment and sale not been made.

Assignor hereby authorizes and requests the duly authorized officials of the United States and countries foreign thereto, to take such action as may be required to give effect to the sale, assignment and transfer made herein, including the issuance to Assignee, its successors and assigns, of the full and undivided interest of Assignor in and to any United States and foreign trademarks and service marks, trademark and service mark applications and trademark and service mark registrations to which Assignee is entitled by virtue hereof, for the sole use and benefit of Assignee, its successor and assigns; and Assignor agrees to do all things reasonably necessary to effectuate such sale, assignment and transfer in respect to each such trademark and service mark, and trademark and service mark registration.

1049360

TRADEMARK
REEL: 003351 FRAME: 0541

Name:____

Title: Pas ConT

Witness: ____

Thomas Murphy

SCHEDULE "A" TRADEMARK REGISTRATIONS

Reference No./	MARK	Serial No./	Registration No./
Country		Filing Date	Registration Date
TA-64827-3	SOMNOPLASTY	75/106,249	2,271,303
United States		May 20, 1996	August 24, 1999
FTA-64827-3-EM	SOMNOPLASTY	650086	650085
European Community		September 30, 1997	April 27, 1999
FTA-64827-3-AU	SOMNOPLASTY	745473	745473
Australia		October 3, 1997	July 17, 1998
FTA-64827-3-CA	SOMNOPLASTY	867,703	502006
Canada		October 7, 1997	October 7, 1998
FTA-64827-3-CN	SOMNOPLASTY	9700108175	1231820
China		October 14, 1997	December 14, 1998
FTA-64827-3-JP	SOMNOPLASTY	9-165405	4253443
Japan		October 7, 1997	March 19, 1999
FTA-64827-3-KR	SOMNOPLASTY	97-14302	50507
Korea		October 15, 1997	December 8, 1998
TA-64827-4	SOMNUS & Design	75/316,982	2,206,753
United States		June 30, 1997	December 1, 1998
FTA-64827-4-EM	SOMNUS & Design	650069	650069
European Community		September 30, 1997	September 23, 1999
FTA-64827-4-AU	SOMNUS & Design	745474	745474
Australia		October 3, 1997	June 26, 1998
FTA-64827-4-CA	SOMNUS & Design	857,704	501,997
Canada		October 2, 1997	October 7, 1998
FTA-64827-4-CN-10	SOMNUS & Design	9700108176	1243291
China		October 14, 1997	January 27, 1999
FTA-64827-4-CN-42	SOMNUS & Design	9700108177	1231821
China		October 14, 1997	December 14, 1998
FTA-64827-4-JP	SOMNUS & Design	09-156406	4398170
Jap <u>an</u>		October 7, 1997	July 7, 2000
FTA-64827-4-KR-10	SOMNUS & Design	97-48237	428790
Korea		October 15, 1997	November 9, 1998
FTA-64827-4-KR-42	SOMNUS & Design	97-14303	50508
Kor c a		October 15, 1997	December 8, 1998
TA-64827-6	SOMNUS	75/576,806	2,285,512
United States		October 23, 1998	October 12, 1999
TA 6482	SOMNOPLASTY	75/586,617	2,367,751
United States		November 2, 1998	July 18, 2000
TA-64827-8	SOMNOPLASTY	75/583,856	2,316,068
United States		November 2, 1998	February 8, 2000
TA-64827-11	CLEAR THE WAY	75/801,376	2,450,129
United States		September 16, 1999	May 8, 2001

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RECORDED: 05/03/2006

TRADEMARK REEL: 003351 FRAME: 0543