

TRADEMARK ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Assignment of Service Mark and Accompanying Goodwill		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Heart Hospital of Austin		11/10/2006	LIMITED PARTNERSHIP: TEXAS
RECEIVING PARTY DATA			
Name:	MedCath Incorporated		
Street Address:	10720 Sikes Place		
Internal Address:	Suite 300		
City:	Charlotte		
State/Country:	NORTH CAROLINA		
Postal Code:	28277		
Entity Type:	CORPORATION: NORTH CAROLINA		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	2411177	CVSTAT	
CORRESPONDENCE DATA			
Fax Number:	(919)416-8339		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	919 286-8049		
Email:	PTO_TMconfirmation@mvalaw.com		
Correspondent Name:	Moore & Van Allen PLLC		
Address Line 1:	430 Davis Drive		
Address Line 2:	Suite 500		
Address Line 4:	Morrisville, NORTH CAROLINA 27560		
ATTORNEY DOCKET NUMBER:	008494.440 ASSIGNTTHAADH		
NAME OF SUBMITTER:	Arlene D. Hanks		
Signature:	/Arlene D. Hanks/		

OP \$40.00 2411177

Date:

11/13/2006

Total Attachments: 1

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**ASSIGNMENT OF SERVICE MARK
AND ACCOMPANYING GOODWILL**

THIS ASSIGNMENT is made and effective as of the 10th day of November, 2006, by and between Heart Hospital of Austin, a Texas Limited Partnership, whose address is 3801 N. Lamar Blvd., Austin, Texas 78756, (hereinafter the "Assignor"), and MedCath Incorporated, a North Carolina corporation, whose address is 10720 Sikes Place, Suite 300, Charlotte, North Carolina 28277, (hereinafter the "Assignee").

WHEREAS, Assignor is the owner of all rights, title and interest in and to the CVSTAT service mark in the United States and the registration therefor in the United States Patent and Trademark Office, Registration No. 2,411,177, and the goodwill of the business associated therewith and symbolized thereby, (the "Mark"), and all rights appurtenant thereto, including, but not limited to, all common law rights, causes of action, all interests, claims and rights for damages, profits and other awards by reason of any past infringement, dilution, misappropriation or other violation thereof, and the right to sue therefor; and

WHEREAS, Assignee is desirous of acquiring Assignor's rights in the Mark and all rights appurtenant 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 Mark and the registration therefor in the United States Patent and Trademark Office, Registration No. 2,411,177, together with the goodwill of the business connected with the use of and symbolized by said Mark, 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 Mark, false designations of origin, unfair competition, deceptive trade practices and/or dilution related to the Mark, 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 Mark and the United States Patent and Trademark Office application therefor to Assignee, its successors or assigns.

IN WITNESS WHEREOF, the Assignor has executed this document, through its duly authorized representative, this 10th day of November, 2006.

ASSIGNOR:

HEART HOSPITAL OF AUSTIN

By: David Laird
Name: David Laird
Title: President + CEO