

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
Medex Cardio-Pulmonary, Inc.		10/13/2008	CORPORATION: OHIO
RECEIVING PARTY DATA			
Name:	Smiths Medical ASD, Inc.		
Street Address:	160 Weymouth Street		
City:	Rockland		
State/Country:	MASSACHUSETTS		
Postal Code:	02370		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	78940538	THERA-HEAT	
CORRESPONDENCE DATA			
Fax Number:	(612)766-1600		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	612/766-7196		
Email:	trademarkmpls@faegre.com		
Correspondent Name:	Sandra Epp Ryan		
Address Line 1:	90 South Seventh Street		
Address Line 2:	2200 Wells Fargo Center		
Address Line 4:	Minneapolis, MINNESOTA 55402-3901		
ATTORNEY DOCKET NUMBER:	79802 - 357139		
NAME OF SUBMITTER:	Sandra Epp Ryan		
Signature:	/Sandra Epp Ryan/		
Date:	10/15/2008		

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Total Attachments: 4

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U.S. TRADEMARK ASSIGNMENT

THIS ASSIGNMENT is by and between Medex Cardio-Pulmonary, Inc., ~~2231 Rutherford Road, Carlsbad, California 92008~~, ^{160 Weymouth St. Rockland, MA 02370} a corporation organized and existing under the laws of the State of Ohio, (hereinafter the "Assignor") and Smiths Medical ASD, Inc., ~~10 Bowman Drive, Keene, New Hampshire 03431~~, ^{160 Weymouth St, Rockland, MA 02370} a corporation organized and existing under the laws of the State of Delaware, (hereinafter the "Assignee"), effective on the last of the signature dates provided hereinbelow.

WHEREAS, Medex Cardio-Pulmonary, Inc., owns pending U.S. intent-to-use trademark application Serial No. 78/940538 for "THERA-HEAT" (the "Mark"), filed on July 29, 2006; and the business to which the Mark pertains, the business being ongoing and existing; and has a bona fide intention to use the Mark in interstate commerce, but has not yet filed an allegation of use of the Mark under 15 U.S.C. § 1051(c) or (d); and

WHEREAS, Smiths Medical ASD, Inc., desires to acquire said Mark, the pending U.S. intent-to-use trademark application, and any goodwill associated with said Mark; and desires to succeed to Assignor's business, or portion thereof, to which the Mark pertains as required by 15 U.S.C. § 1060.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign and transfer to Assignee the entire right, title, and interest in and to said Mark, including the pending U.S. trademark application therefor, together with any goodwill of the ongoing business symbolized by the Mark, the business to which the Mark pertains as required by 15 U.S.C. § 1060, and all other rights which Assignor has enjoyed thereunder in the United States.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed.

Medex Cardio-Pulmonary, Inc.
Assignor

By: SRM - Hipk
(Signature)

Name: Stuart Morris-Hipkins
(Printed Name)

Title: President

Date: 13 Oct 2008

Accepted:
Smith Medical ASD, Inc.
Assignee

By: SRM Hipk
(Signature)

Name: Stuart Morris-Hipkins
(Print Name)

Title: President

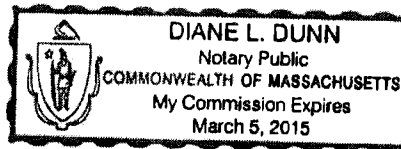
Date: 13 Oct 2008

State of Massachusetts)
County of Plymouth)SS

On this 13th day of October, 2008 personally
appeared Stuart Morris Hepkins whom I know
to be the person(s) whom signed this document as President of
Smiths Medical ASD, Inc.

Diane L. Dunn
Notary Public

Plymouth
County of Residence



State of Massachusetts)
County of Plymouth)SS

On this 13th day of October, 2008 personally
appeared Stuart Marcus Hopkins whom I know
to be the person(s) whom signed this document as President of
Medex Cardio-Pulmonary, Inc.

Diane L. Dunn
Notary Public

Plymouth
County of Residence

