

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Novartis AG		11/16/2009	CORPORATION: SWITZERLAND
RECEIVING PARTY DATA			
Name:	Refocus Ocular, Inc.		
Street Address:	10300 North Central Expy., Suite 104		
City:	Dallas		
State/Country:	TEXAS		
Postal Code:	75231		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	2860079	PRESVIEW	
CORRESPONDENCE DATA			
Fax Number:	(972)628-3616		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	972.628.3638		
Email:	dhouse@munckcarter.com		
Correspondent Name:	Dyan House		
Address Line 1:	PO Drawer 800889		
Address Line 4:	Dallas, TEXAS 75380		
ATTORNEY DOCKET NUMBER:	PRES01-00314		
NAME OF SUBMITTER:	Dyan M. House		
Signature:	/dyanhouse/		
Date:	12/04/2009		

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Total Attachments: 1
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ASSIGNMENT OF TRADEMARK RIGHTS

This ASSIGNMENT OF TRADEMARK RIGHTS (this "Assignment") is entered into and effective as of this 30th day of January, 2004, and is by and between REFOCUS OCULAR, INC. ("Refocus"), a Delaware corporation, formerly known as PRESBY CORP, with its principal office located at 10300 North Central Expressway, Suite 104, Dallas, Texas 75231, and NOVARTIS AG ("Novartis"), a Switzerland corporation, with its principal office located at CH-4002 Basel, Switzerland (collectively, Refocus and Novartis are hereinafter referred to as the "Parties").

WITNESSETH:

WHEREAS, Novartis has applied for and been granted a federal registration by the United States Patent and Trademark Office for the trademark "PRESVIEW," namely, United States Registration No. 2,860,079, for "surgical implants comprising artificial material, surgical instruments for use in general surgery," all in International Class 010 (hereafter the "Registration"); and


WHEREAS, Refocus is desirous of acquiring all of Novartis' rights, title and interest in and to the Registration.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the Parties hereto agree as follows:

1. Novartis hereby assigns to Refocus, and Refocus does hereby accept, all right, title and interest, including, but not limited to, rights to existing causes of action and the right to past damages associated therewith, in and to the Registration together with the goodwill of the business symbolized by the same.
2. The Parties agree that this Assignment will inure to the benefit of, and be binding upon, their respective parents, subsidiaries and affiliates, together with their respective successors and assigns.
3. The Parties agree that this Assignment will be governed by and enforced under the laws of the State of Texas. The Parties further agree that the prevailing party in any dispute relating to this Assignment will be entitled to recover, in addition to any other relief granted, reasonable attorney's fees and expenses related to such dispute.

NOVARTIS AG

By: SMEvans
Name: Susan Evans
Title: Authorized Signatory
Date: 16 November 2009


Dr. Jörg Dietz
Authorised Signatory