

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Masimo Laboratories, Inc.		07/17/2007	CORPORATION:
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Masimo Corporation		
<b>Street Address:</b>	40 Parker		
<b>City:</b>	Irvine		
<b>State/Country:</b>	CALIFORNIA		
<b>Postal Code:</b>	92618		
<b>Entity Type:</b>	CORPORATION:		
<b>PROPERTY NUMBERS Total: 6</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	3124475	RAINBOW	
<b>Registration Number:</b>	3110218	SPCO	
<b>Serial Number:</b>	77011021	PULSE CO-OXIMETER	
<b>Serial Number:</b>	78577856	SIGNAL EXTRACTION PULSE CO-OXIMETER	
<b>Serial Number:</b>	78803230	SPHB	
<b>Serial Number:</b>	78462194	SPMET	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(949)760-9502		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
<b>Phone:</b>	(949) 760-0404		
<b>Email:</b>	efiling@kmob.com		
<b>Correspondent Name:</b>	Deborah S. Shepherd		
<b>Address Line 1:</b>	2040 Main Street		
<b>Address Line 2:</b>	14th Floor		
<b>Address Line 4:</b>	Irvine, CALIFORNIA 92614		

**CH \$165.00 3124475**

ATTORNEY DOCKET NUMBER:	MLABST.288T
NAME OF SUBMITTER:	Deborah S. Shepherd
Signature:	/deborah s. shepherd/
Date:	10/07/2008
Total Attachments: 5 source=MLABST Assignment#page1.tif source=MLABST Assignment#page2.tif source=MLABST Assignment#page3.tif source=MLABST Assignment#page4.tif source=MLABST Assignment#page5.tif	

MLABST.288T/288WCN/288WEU  
288WJP/289T/289WEU/291T/302T  
302WEU/302WJP/313T/313WEU  
313WJP/314T/314WAU/314WKR  
314WCN

### TRADEMARK ASSIGNMENT

This Trademark Assignment (hereinafter referred to as "Assignment") is effective as of the 17<sup>th</sup> day of JULY, 2007 by and between Masimo Laboratories, Inc., a Delaware corporation having a place of business at 40 Parker, Irvine, California 92618 (hereinafter referred to as "ASSIGNOR"), and Masimo Corporation, a Delaware corporation having a place of business at 40 Parker, Irvine, California 92618 (hereinafter referred to as "ASSIGNEE").

WHEREAS, ASSIGNOR has adopted, used, is using, and is, to the best of its knowledge and belief, the owner of the trademarks listed in Schedule A, attached hereto and incorporated herein by this reference, and all other rights appurtenant thereto, including, but not limited to, all common law rights, trade name rights, causes of action, and the right to recover for past infringement (hereinafter collectively referred to as the "Trademarks") worldwide;

WHEREAS, ASSIGNOR has acquired goodwill associated with and symbolized by said Trademarks and has not abandoned the same;

WHEREAS, ASSIGNOR is the owner of the federal trademark registrations and applications relating to the Trademarks listed in Schedule B, attached hereto and incorporated herein by reference (hereinafter collectively referred to as the "Applications and Registrations");

WHEREAS, ASSIGNEE is desirous of acquiring all rights, title, and interest in and to the Trademarks, Applications and Registrations worldwide; and

WHEREAS, ASSIGNOR is willing to assign to ASSIGNEE all rights, title, and interest as ASSIGNOR may possess in and to the Trademarks and the Applications and Registrations worldwide;

NOW, THEREFORE, for good and adequate consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby assigns and sells to ASSIGNEE all rights, title, and interest as ASSIGNOR may possess in and to the following:

- (1) the Trademarks set forth in Schedule A; and

(2) the Applications and Registrations set forth in Schedule B;

together with the goodwill symbolized by said Trademarks, Applications and Registrations concurrent with the transfer of certain tangible assets as indicia of said goodwill.

Executed at IRVINE, CA, this 17 day of JULY, 2007.

MASIMO LABORATORIES, INC.,

By: \_\_\_\_\_

*[Signature]*  
CEO

Executed at IRVINE, CA, this 17 day of JULY, 2007.

MASIMO CORPORATION

By: \_\_\_\_\_

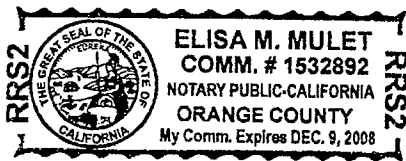
*[Signature]*

STATE OF ) CA  
          ) ss.  
COUNTY OF ) ORANGE

JOE KIANI on 7/17/2007, before me, Elisa M. Mulet, notary public, personally appeared ~~Masimo Laboratories, Inc.~~ personally known to me (or ~~proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



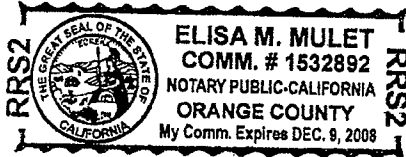
Elisa M. Mulet  
Signature

STATE OF ) CA  
          ) ss.  
COUNTY OF ) ORANGE

BRAD LANGDALE on 17 JUL 2007, before me, Elisa M. Mulet, notary public, personally appeared ~~Masimo Corporation~~ personally known to me (or ~~proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Elisa M. Mulet  
Signature

**SCHEDULES TO TRADEMARK ASSIGNMENT**

**SCHEDULE A**

Marks: RAINBOW  
SPCO  
PULSE CO-OXIMETER  
SIGNAL EXTRACTION PULSE CO-OXIMETER  
SPHB  
SPMET

**SCHEDULE B**

**Federal Trademark Registrations:**

<u>MARK</u>	<u>REG. NO.</u>	<u>REG. DATE</u>	<u>INTL. CLASS</u>
RAINBOW	3,124,475	8/1/06	10
SPCO	3,110,218	6/27/06	10

**Federal Trademark Applications:**

<u>MARK</u>	<u>APPL. NO.</u>	<u>FILING DATE</u>	<u>INTL. CLASS</u>
PULSE CO-OXIMETER	77/011,021	9/29/06	10
SIGNAL EXTRACTION PULSE CO-OXIMETER	78/577,856	3/1/05	10
SPHB	78/803,230	1/31/06	10
SPMET	78/462,194	8/4/04	10

**Foreign Trademark Registrations:**

<u>MARK</u>	<u>REG. NO.</u>	<u>REG. DATE</u>	<u>COUNTRY</u>
RAINBOW	004125266	1/13/06	Europe
RAINBOW	4874008	6/24/05	Japan
SPCO	004125101	12/21/05	Europe
SIGNAL EXTRACTION PULSE CO-OXIMETER	4927914	2/10/06	Japan
SPHB	5006185	11/24/06	Japan

**Foreign Trademark Applications:**

<u>MARK</u>	<u>APPL. NO.</u>	<u>FILING DATE</u>	<u>COUNTRY</u>
PULSE CO-OXIMETER		3/21/07	Australia
SIGNAL EXTRACTION PULSE CO-OXIMETER	004611646	8/30/05	Europe
PULSE CO-OXIMETER	07025810TM-008	3/21/06	China
PULSE CO-OXIMETER	40-2007-16390	3/27/06	Korea
SPHB	005227103	7/28/06	Europe
RAINBOW	4368064	11/17/04	China

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