

4/28/98

05-07-1998

Practitioner's Docket No. F04-00025 (F1332CIF)  
Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231



100704333

JCS18 U  
09/0691  
04/28/98

COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING  
NEW PATENT APPLICATION (37 CFR 3.31)

IDENTIFICATION OF APPLICATION  
(37 CFR 3.21 and 37 CFR 3.31(a)(4))

1. The ☒ patent application ☐ provisional patent application filed herewith and, to which the attached assignment (document) refers, is identified as follows:

a. Type of application

- ☒ Application of patent (37 C.F.R. 1.53(b))  
☐ Continued prosecution (nonprovisional) application (37 C.F.R. § 1.53(d))  
☐ Provisional application (37 C.F.R. 1.53(c))  
☐ International application (37 C.F.R. 1.431)

b. Date of execution: April 27, 1998

NOTE: Leave this blank if assignment is for a provisional application.

c. Name of each inventor:

- 1: John Howard Drake  
2:  
3:

d. Title of invention: ASYMMETRIC OPEN ROSETTE CONSTELLATIONS

CERTIFICATION UNDER 37 C.F.R. 1.10\*  
(Express Mail label number is mandatory.)  
(Express Mail certification is optional.)

I hereby certify that this "Cover Sheet For Assignment (Document) Accompanying New Patent Application," along with any document referred to, is being deposited with the United States Postal Service on this date April 28, 1998, in an envelope as "Express Mail Post Office to Addressee," Mailing Label Number EM394122984 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

05/05/1998 JSHADAZZ 00000175 09069090

01 FC:561

40.00 OP

Sharon S. Feix

(type or print name of person mailing paper)

Sharon S. Feix

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Cover Sheet For Assignment Accompanying New Patent Application [4-2.3]—page 1 of 4)

NOTE: 37 C.F.R. § 3.21 states: "If an assignment of a patent application filed under § 1.53(b) is executed concurrently with, or subsequent to, the execution of the patent application, but before the patent application is filed, it must identify the patent application by its date of execution, name of each inventor, and title of the invention so that there can be no mistake as to the patent application intended. If an assignment of a provisional application under § 1.53(c) is executed before the provisional application is filed, it must identify the provisional application by name of each inventor and title of the invention so that there can be no mistake as to the provisional application intended."

**NAME OF PARTY(IES) CONVEYING INTEREST (37 CFR 3.31(a)(1))**

2. The party(ies) conveying this interest is (are):

Name 1: John Howard Drake

Name 2: \_\_\_\_\_

Name 3: \_\_\_\_\_

**NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST**

(37 CFR 3.31(a)(2))

3. The rights are being conveyed to:

Name: Lockheed Martin Corporation

Address: 1111 Lockheed Martin Way  
Sunnyvale, CA 94088-3504

Telephone No.: (408) 756-2686

**DESCRIPTION OF INTEREST CONVEYED OR  
TRANSACTION RECORDED (37 CFR 3.31(a)(3))**

4. The accompanying document intends to accomplish:

- ☒ an assignment.  
☐ a security agreement.  
☐ a license.  
☐ a merger.  
☐ a change of name.  
☐ a change of address.  
☐ other.

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE  
SHOULD BE MAILED (37 CFR 3.31(a)(5))**

5. Please address correspondence to:

Name: Donald C. Feix

Address: 241 North San Mateo Drive  
San Mateo, CA 94401

Telephone No.: (650) 342-4508

(Cover Sheet For Assignment Accompanying New Patent Application [4-2.3]—page 2 of 4)

**DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 CFR 3.31(a)(7))**

6. The attached assignment (document) was executed on April 27, 1998.  
Date

**LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED**

NOTE: "The Office will accept and record non-English language documents only if accompanied by an English translation signed by the individual making the translation." 37 CFR 3.26.

7. The attached document:

- ☒ is in the English language.  
☐ is not in the English language. An English translation signed by the individual making the translation and statement as to its accuracy is attached.

**ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED**

NOTE: "Either the original document or a true copy of the original document may be submitted for recording. Only one side of each page shall be used. The paper used should be flexible, strong, white, non-shiny, durable, and preferably no larger than 21.6 x 33.1 cm. (8½ x 14 inches) with a 2.5 cm. (one-inch) margin on all sides." 37 CFR 3.24.

8. Submitted herewith is:

- ☒ the original document.  
☐ a true copy of the original document.

NOTE: "If the original [assignment] document is two-sided or the wrong size, the practitioner can comply with the requirement [set out in 37 C.F.R. § 3.24] by providing a true copy of the original document using only one side of each page on the correct size paper." Notice of June 24, 1992, 1140 O.G. 63-76, at 67.

**NUMBER OF APPLICATIONS IDENTIFIED IN THIS COVER SHEET  
AND THE FEE**

NOTE: "All requests to record documents must be accompanied by the appropriate fee. Except as provided in paragraph (b) of this section, a fee is required for each application or patent against which the document is recorded as identified in the cover sheet. The recording fee is set in § 1.21(h). . . ." 37 C.F.R. § 3.41.

9. A. This cover sheet identifies only one application:

- B. The fee for recordal (37 CFR 1.21(h)) is \$40.00.

- ☒ Attached is a check for \$40.00.  
☐ Please charge Account \_\_\_\_\_ \$40.00.

A duplicate of this cover sheet is attached.

**STATEMENT (37 CFR 3.31(a)(9))  
AND SIGNATURE (37 CFR 3.31(a)(10))**

10. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: April 28, 1998

\_\_\_\_\_  
Name of party submitting document

\_\_\_\_\_  
Signature of party submitting document

(complete the following, if the party submitting the document is applicant's attorney)

Reg. No. 19,328

Donald C. Feix  
Signature of Practitioner

Tel. No. (650)-342-4508

Donald C. Feix  
(type or print name of practitioner)

Customer No. IDON302565

241 North San Mateo Drive  
P.O. Address  
San Mateo, CA 94401


**TOTAL NUMBER OF PAGES BEING SUBMITTED**

11. The total number of pages being submitted, including cover sheet, attachment(s), and document(s) are:

7  
Total number of pages submitted

(Cover Sheet For Assignment Accompanying New Patent Application [4-2.3]—page 4 of 4)

ASSIGNMENT

WHEREAS, I, **John Howard Drake**, residing at 2619 Lindentree Lane, Santa Clara, California 95051, County of Santa Clara, State of California; have invented a new and useful "**ASYMMETRIC OPEN ROSETTE CONSTELLATIONS**" for which a provisional Application Serial Number 60/045,056 for Letters Patent was filed on April 29, 1997; and a continuation-in-part patent application "**ASYMMETRIC OPEN ROSETTE CONSTELLATIONS**" was executed by me on 27 <sup>APR</sup> 1998 

WHEREAS, **LOCKHEED MARTIN CORPORATION** with a business location at 1111 Lockheed Martin Way, in the city of Sunnyvale, County of Santa Clara, State of California, desires to acquire the entire right, title and interest in and to said applications and the invention(s) disclosed therein;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, I, **John Howard Drake**, do hereby sell, assign and transfer unto **LOCKHEED MARTIN CORPORATION**, its successors and assigns, the full and exclusive right for the territory of the United States of America and for all foreign countries, in and to said invention(s) and said applications, and any and all divisions and continuations and continuations-in-part thereof, and any and all Letters Patent which may be granted therefor, and any and all reissues of said Letters Patent including the subject matter of any and all claims which may be obtained in said Letters Patent, and in and to any application for Letters Patent that may be filed by or for **LOCKHEED MARTIN CORPORATION**, its successors,


assigns or other legal representatives in countries foreign to the United States of America, and in and to any Letters Patent of countries foreign to the United States of America that may mature therefrom, the same to be held and enjoyed by **LOCKHEED MARTIN CORPORATION** for its own use and behoof, and for its successors, assigns and legal representatives, to the full end of the term or terms for which said Letters Patent are granted or reissued, as fully and entirely as the same would have been held by us had this assignment, sale and transfer not been made.

WITNESS my hand at Sunnyvale, California this 27 day of April ~~May~~ <sup>off</sup> 1998.

  
John Howard Drake

STATE OF CALIFORNIA       )  
  )ss  
COUNTY OF SANTA CLARA   )

On this \_\_\_\_ day of \_\_\_\_\_ in the year 1998, before me,  
\_\_\_\_\_, appeared **John Howard Drake**, personally known to me  
(or proved to me on the basis of satisfactory evidence) to be the person whose name is  
subscribed to this instrument, and acknowledged that he executed it.

  
\_\_\_\_\_  
Notary Public

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

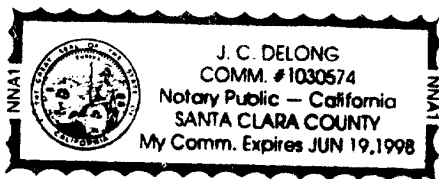
State of CALIFORNIA

County of SANTA CLARA

On APRIL 27, 1998 before me, J.C. DeLong, Notary Public

personally appeared JOHN HOWARD DRAKE

☐ 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/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ 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.

J.C. DeLong  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: ASSIGNMENT - DOCKET # F04-00025

Document Date: 27 APRIL 1998 Number of Pages: TWO

Signer(s) Other Than Named Above: NONE

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☒ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here