

FORM PTO-1595 (modified)

(Rev. 6-93)

06-15-1998



HEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

100738979

To the Commissioner of Patents and Trademarks, Please return the attached original documents or copies thereof.

1. Name of conveying party(ies):

Jerry Littke

Additional conveying party(ies) attached? **no**

2. Name and address of receiving party(ies):

**Case Corporation
700 State Street
Racine, Wisconsin 53404**

Additional name(s) & address(es) attached? **no**

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

May 6, 1998

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

09/053,185

B. Patent Numbers(s):

Additional numbers attached? **no**

5. Name and address of party to whom correspondence concerning document should be mailed:

**Todd A. Rathe
FOLEY & LARDNER
Firststar Center
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367**

6. Total number of applications/patents involved: **1**

7. Total fee (37 C.F.R. § 3.41): **\$40.00**

☒ Check Enclosed

Charge to deposit account (duplicate copy attached)

8. Deposit account number: **06-1447**

DO NOT USE THIS SPACE

9. Statement and signature:

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. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

James G. Morrow

Reg No. 32,505

Todd A. Rathe

Name of person signing

James G. Morrow

Signature

5/21/98

Date

Total number of pages including cover sheet, attachments, and document: **3**

Mail documents to be recorded with required recordation cover sheet(s) to:
Commissioner of Patents & Trademarks, Box ASSIGNMENTS, Washington D.C. 20231

PATENT

REEL: 9231 FRAME: 0739

ASSIGNMENT AND AGREEMENT

R.R. 2 Box 102 Hillsboro ND 58045
WHEREAS, Jerry Little of ~~1606 11th Street N, Fargo, North Dakota 58102,~~
(hereinafter referred to as "ASSIGNOR") has invented a certain invention entitled **FLOW
MONITORING SYSTEM FOR PARTICULATE METERING SYSTEM** (Atty. Dkt. No.
18483-407) for which an application for United States Letters Patent was filed on April
1, 1998 as Application No. 09/053,185; AND

WHEREAS, Case Corporation, a corporation duly organized and existing under
the laws of the State of Delaware, and having its principal place of business at 700
State Street, Racine, Wisconsin 53404 (hereinafter referred to as "ASSIGNEE") is
desirous of acquiring the entire interest therein;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and
valuable consideration, the receipt and sufficiency of which are hereby acknowledged,
ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells,
assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and
exclusive right, title, and interest in and to (a) the above-identified invention or
inventions and all improvements and modifications thereof, (b) the above-identified
application and all other applications for Letters Patent of the United States and
countries foreign thereto for the above-identified invention or inventions and all
improvements and modifications thereof, (c) all Letters Patent which may issue from
said applications in the United States and countries foreign thereto, (d) all divisions,
continuations, reissues, and extensions of said applications and Letters Patent, and
(e) the right to claim for any of said applications the full benefits and priority rights
under the International Convention and any other international agreement to which the
United States adheres; such right, title, and interest to be held and enjoyed by
ASSIGNEE, its successors and assigns, to the full end of the term or terms for which
any and all such Letters Patent may be granted as fully and entirely as would have been
held and enjoyed by ASSIGNOR had this Assignment not been made.

ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of
Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the
entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

ASSIGNOR HEREBY AGREES (a) to communicate to ASSIGNEE, its successors
and assigns, or their representatives or agents, all facts and information known or
available to ASSIGNOR respecting said invention or inventions, improvements, and
modifications including evidence for interference, reexamination, reissue, opposition,
revocation, extension, or infringement purposes or other legal, judicial, or administrative
proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit
as required by ASSIGNEE, its successors and assigns, in any such proceeding in the
United States or a country foreign thereto; (c) to execute and deliver, upon request by
ASSIGNEE, all lawful papers including, but not limited to, original, divisional,
continuation, and reissue applications, renewals, assignments, powers of attorney,
oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance
to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and
protection for said invention or inventions, improvements, and modifications under the
intellectual property laws of the United States and countries foreign thereto.

ASSIGNOR HEREBY REPRESENTS AND WARRANTS that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

ASSIGNOR HEREBY GRANTS to the law firm of **FOLEY & LARDNER** the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

ASSIGNOR UNDERSTANDS AND AGREES that the attorneys and agents of the law firm of **FOLEY & LARDNER** do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

Executed this 6 day of May, 1998.

Jerry Littke
Jerry Littke

State of ND)
) ss.
County of CASS)

On this 6 day of May, 1998, before me, a notary public in and for said county, appeared **Jerry Littke**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

Julie A. Grudean
Notary Public

(Seal)

My Commission Expires: January 31, 2000