

07-22-1998

R



HEET

To the Honorable Commissione

100770361

the attached original documents or copy thereof:

## 1. Names of conveying parties:

Philip R. Wiser, Andrew R. Chersonson

Steven T. Ansell and Susan A. Cannon

Additional name(s) of conveying party(ies) attached?

☐ Yes☒ No

## 3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other: \_\_\_\_\_

Execution Date: June 24, 1998

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

Name:

Liquid Audio, Inc.

Internal Address:

Street Address:

810 Winslow Street

City:

Redwood City

State:

CA

Zip:

94063

Additional name(s) &amp; address(es) attached?

☐ Yes☒ No

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

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

A. Patent Application No.(s):

09/020,025

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

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

Name:

Robert R. Sachs, Esq.

Internal Address:

Fenwick &amp; West LLP

Street Address:

Two Palo Alto Square

City: Palo Alto

State: CA

Zip Code:

94306

## 6. Total number of applications and patents involved: [1]

## 7. Total fee (37 CFR 3.41): \$40.00

☒ Enclosed☒ Fee Transmittal Enclosed

## 8. Deposit Account No.: 19-2555

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.*

Robert R. Sachs, Reg. No.: P-42,120

Attorney, Reg No.

Signature

Date

Total number of pages including cover sheet, attachments, documents: [5]

07/20/1998 DNGUYEN 00000106 09020025

01 FC:581

40.00 OP

Mail documents to be recorded with required cover sheet information to:

Box Assignment, Commissioner For Patents and Trademarks

Washington, D.C. 20231

Case Docket No.: 2985

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to Liquid Audio, Inc., a California corporation, having a place of business at 810 Winslow St., Redwood City, California 94063 ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the following:

1. The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the application for United States Letters Patent entitled: **SECURE ONLINE MUSIC DISTRIBUTION SYSTEM** ("APPLICATION"), which:

☐ is to be filed herewith

☒ was filed on February 6, 1998, now bearing U.S. serial number 09/020,025,  
and for which a Declaration was executed by INVENTOR on the date(s) below;  
and

2. The entire worldwide right, title, and interest in and to:  
(a) the APPLICATION, including any right of priority; (b) any divisional, continuation, substitute, renewal, reissue, and other related applications thereto which have been or may be filed in the United States or elsewhere in the world; and (c) any patents which may be granted on the applications set forth in (a) and (b) above.

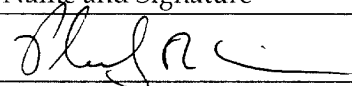
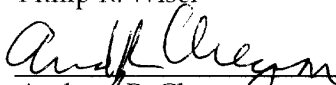
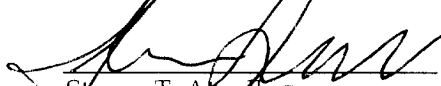
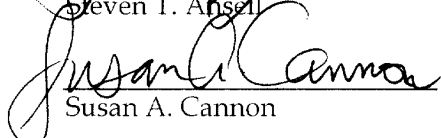
INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has made or will make hereafter no assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

PATENT

This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

Name and Signature	Date of Signature	Date Declaration Executed By This Person
 Philip R. Wiser	June 24, 1998	May 31, 1998
 Andrew R. Cherenon	June 24, 1998	June 24, 1998
 Steven T. Ansell	June 24, 1998	June 24, 1998
 Susan A. Cannon	June 24, 1998	June 24, 1998

Title of Document: ASSIGNMENT

Re:

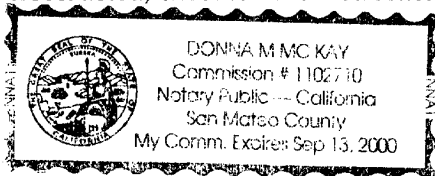
Title: Secure Online Music Distribution System

Filed: (if applicable) February 6, 1998

Serial No.: (if applicable) 09/020,025

State of CALIF  
County of SAN MATEO

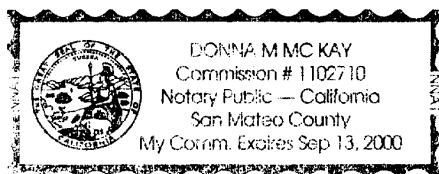
On JUNE 24, 1998 before me, DONNA M. MCKAY - NOTARY PUBLIC  
personally appeared Philip R. Wiser ~~personally known to me~~ or proved to me on the  
basis of satisfactory evidence to be the person whose name is subscribed to the within  
instrument and acknowledged to me that he executed the same in his authorized capacity,  
and that by his signature on the instrument the person, or the entity upon behalf of which  
the person acted, executed the instrument.



*Donna M. McKay*

State of CALIF  
County of SAN MATEO

On JUNE 24, 1998 before me, DONNA M. MCKAY - NOTARY PUBLIC  
personally appeared Andrew R. Cherenon ~~personally known to me~~ or proved to  
me on the basis of satisfactory evidence to be the person whose name is subscribed to the  
within instrument and acknowledged to me that he executed the same in his authorized  
capacity, and that by his signature on the instrument the person, or the entity upon behalf of  
which the person acted, executed the instrument.



*Donna M. McKay*

Title of Document: ASSIGNMENT

Re:

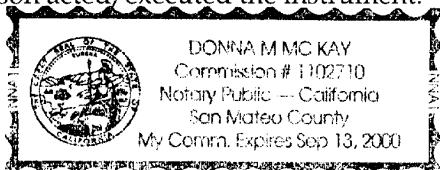
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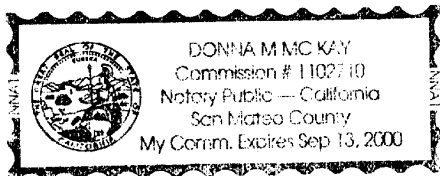
On JUNE 24, 1998 before me, DONNA M. MCKAY - NOTARY PUBLIC  
 personally appeared Steven T. Ansell ~~personally known to me~~ or proved to me on the  
 basis of satisfactory evidence to be the person whose name is subscribed to the within  
 instrument and acknowledged to me that he executed the same in his authorized capacity,  
 and that by his signature on the instrument the person, or the entity upon behalf of which  
 the person acted, executed the instrument.



*Donna M. McKay*

State of CALIF.  
 County of SAN MATEO


On JUNE 24, 1998 before me, DONNA M. MCKAY - NOTARY PUBLIC  
 personally appeared Susan A. Cannon ~~personally known to me~~ or proved to me on the  
 basis of satisfactory evidence to be the <sup>SHE</sup> person whose name is subscribed to the within  
 instrument and acknowledged to me that <sup>HER</sup> ~~he~~ executed the same in <sup>HER</sup> ~~his~~ authorized capacity,  
 and that by <sup>HER</sup> ~~his~~ signature on the instrument the person, or the entity upon behalf of which  
 the person acted, executed the instrument.

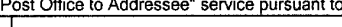


*Donna M. McKay*

0001/PTO Rev. 10/95		U.S. Department of Commerce Patent and Trademark Office		Application Number	09/020,025
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>				Filing Date	02/06/98
				First Named Inventor	Philip R. Wiser
				Group Art Unit Number	2731
				Examiner Name	Not Assigned
Total Number of Pages in This Submission	8	Attorney Docket Number		2985	

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Check Enclosed (\$40.00)	<input type="checkbox"/> Letter to Chief Draftsperson
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Formal Drawing(s):
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> [ ] Sheet(s) of Figure(s) [ ]
<input checked="" type="checkbox"/> Assignment & PTO-1595	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group
<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Information Disclosure Statement & PTO-1449	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Copies of IDS Cited References	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> _____
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/> _____
<input type="checkbox"/> Amendment/Response: [ ] Page(s)	<input type="checkbox"/> _____
<input type="checkbox"/> After Final	<input type="checkbox"/> _____
<input type="checkbox"/> Status Request	<input type="checkbox"/> _____
<input type="checkbox"/> Revocation and Power of Attorney	<input type="checkbox"/> _____
REMARKS:	

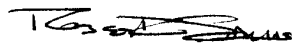
SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Robert R. Sachs, Reg. No.: P-42,120	Dated:	7 10 98

<h2 style="text-align: center;">CERTIFICATE OF MAILING</h2>			
<p>I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Assignment, The Assistant Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.</p>			
Signature: 			
Typed or Printed Name: <b>Robert R. Sachs</b>		Dated: 7 10 98	
Express Mail Mailing Number (optional):			

+

0002/PTO(modified) Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b>		Application Number	09/020,025
		Filing Date	02/06/98
		First Named Inventor	Philip R. Wiser
		Group Art Unit	2731
		Examiner Name	Not Assigned
<b>TOTAL AMOUNT OF PAYMENT</b>		Attorney Docket Number	2985
Subtotal (1) + Subtotal (2) + Subtotal (3) =		(\$) <b>40.00</b>	

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																									
<b>1. The Commissioner is hereby authorized to:</b>  <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account.  <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17 or credit any over payments to the below mentioned deposit account.†  <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account.  <b>Deposit Account Number: 19-2555</b> <b>Deposit Account Name: FENWICK &amp; WEST LLP</b>  <b>A Duplicate Copy of this authorization is attached</b>		<b>3. ADDITIONAL FEES</b> <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th><th>Fee Due</th></tr></thead><tbody><tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr><tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month†</td><td></td></tr><tr><td>116/\$400</td><td>216/\$200</td><td>Extension for response within second month†</td><td></td></tr><tr><td>117/\$950</td><td>217/\$475</td><td>Extension for response within third month†</td><td></td></tr><tr><td>118/\$1,510</td><td>218/\$755</td><td>Extension for response within fourth month†</td><td></td></tr><tr><td>128/\$2,060</td><td>228/\$1,030</td><td>Extension for response within fifth month†</td><td></td></tr><tr><td>119/\$310</td><td>219/\$155</td><td>Notice of Appeal</td><td></td></tr><tr><td>141/\$1,320</td><td>241/\$660</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr><tr><td>142/\$1,320</td><td>242/\$660</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr><tr><td>143/\$450</td><td>243/\$225</td><td>Design Issue Fee</td><td></td></tr><tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126/\$240</td><td>126/\$240</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr><tr><td>146/\$790</td><td>246/\$395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149/\$790</td><td>249/\$395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="3"><b>SUBTOTAL (3)</b></td><td><b>(\$)<b>40.00</b></b></td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath		127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month†		116/\$400	216/\$200	Extension for response within second month†		117/\$950	217/\$475	Extension for response within third month†		118/\$1,510	218/\$755	Extension for response within fourth month†		128/\$2,060	228/\$1,030	Extension for response within fifth month†		119/\$310	219/\$155	Notice of Appeal		141/\$1,320	241/\$660	Petition to revive unintentionally abandoned application		142/\$1,320	242/\$660	Utility Issue Fee (Or Reissue)		143/\$450	243/\$225	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		123/\$50	123/\$50	Petitions related to provisional applications		126/\$240	126/\$240	Submission of Information Disclosure Statement		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40	146/\$790	246/\$395	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$790	249/\$395	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				<b>SUBTOTAL (3)</b>			<b>(\$)<b>40.00</b></b>
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<b>FEE CALCULATION (fees effective 10/01/97)</b> <b>1. FILING FEE</b> <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th><th>Fee Due</th></tr></thead><tbody><tr><td>101/\$790</td><td>201/\$395</td><td>Utility Filing</td><td></td></tr><tr><td>106/\$330</td><td>206/\$165</td><td>Design Filing</td><td></td></tr><tr><td>108/\$790</td><td>208/\$395</td><td>Reissue Filing</td><td></td></tr><tr><td>114/\$150</td><td>214/\$75</td><td>Provisional Filing</td><td></td></tr><tr><td colspan="3"><b>SUBTOTAL (1)</b></td><td><b>(\$)<b>0.00</b></b></td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	101/\$790	201/\$395	Utility Filing		106/\$330	206/\$165	Design Filing		108/\$790	208/\$395	Reissue Filing		114/\$150	214/\$75	Provisional Filing		<b>SUBTOTAL (1)</b>			<b>(\$)<b>0.00</b></b>																																																																		
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<b>2. CLAIMS</b> <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th></tr></thead><tbody><tr><td>103/\$22</td><td>203/\$11</td><td>Claims in excess of 20</td></tr><tr><td>102/\$82</td><td>202/\$41</td><td>Independent claims in excess of 3</td></tr><tr><td>104/\$270</td><td>204/\$135</td><td>Multiple dependent claim</td></tr><tr><td>109/\$82</td><td>209/\$41</td><td>Reissue independent claims over original patent</td></tr><tr><td>110/\$22</td><td>210/\$11</td><td>Reissue claims in excess of 20 and over original patent</td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	103/\$22	203/\$11	Claims in excess of 20	102/\$82	202/\$41	Independent claims in excess of 3	104/\$270	204/\$135	Multiple dependent claim	109/\$82	209/\$41	Reissue independent claims over original patent	110/\$22	210/\$11	Reissue claims in excess of 20 and over original patent	<table border="1"><thead><tr><th colspan="2">(Col. 1)</th><th colspan="2">(Col. 2)</th><th colspan="2">(Col. 3)</th><th rowspan="2">Fee</th><th rowspan="2">Fee Due</th></tr><tr><th>For</th><th>No. of Existing Claims</th><th></th><th>Highest No. Previously Paid For</th><th>Extra**</th></tr></thead><tbody><tr><td>TOTAL</td><td></td><td>minus*</td><td>20 or</td><td>=</td><td></td><td>x</td><td>=</td></tr><tr><td>INDEP</td><td></td><td>minus*</td><td>3 or</td><td>=</td><td></td><td>x</td><td>=</td></tr><tr><td colspan="8">[ ] First presentation of multiple dependent claim</td></tr></tbody></table> <p>* Subtract the greater number of Col. 2 ** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3</p> <p><b>SUBTOTAL (2)</b> <b>(\$)<b>0.00</b></b></p>		(Col. 1)		(Col. 2)		(Col. 3)		Fee	Fee Due	For	No. of Existing Claims		Highest No. Previously Paid For	Extra**	TOTAL		minus*	20 or	=		x	=	INDEP		minus*	3 or	=		x	=	[ ] First presentation of multiple dependent claim																																								
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Robert R. Sachs	Reg. Number	P-42,120
Signature		Date	7/16/98

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby  
120334-02985/767446  
Rev. 07/08/98

RECORDED: 07/10/1998

PATENT  
REEL: 9316 FRAME: 0799