

09-24-1998



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Document ID#: ☐ Correction of PTO ErrorReel #:  Frame # ☐ Corrective DocumentReel #:  Frame # 

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- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other

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☐ Mark if additional names of conveying parties attached

Name	Execution Date		
	Month	Day	Year
Ronald Spangler	8	31	98
David Gilbert	9	1	98
Carl Prestia	9	8	98
Emanuele Bianchini	8	27	98
Kenneth B. Lazarus	9	2	98
Jeffrey W. Moore	9	2	98
Robert N. Jacques	8	27	98
Jonathan C. Allen	8	24	98
Farla M. Russo	8	26	98

## Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1)  Active Control eXperts, Inc. ☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment)

Name (line 2)

Address (line 1)  215 First Street

Address (line 2)

Address (line 3)  Cambridge  MA  02142

City State/Country Zip Code

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Name

Address (line 1)

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PATENT  
 REEL: 9465 FRAME: 0029

99/23/1998 JUTKINS 00000099 00051940 40 00 00  
 01 FT:581

## Correspondent Name and Address

Area Code and Telephone Number (617) 248-7000

Name Patent Administrator

Address (line 1) Testa, Hurwitz &amp; Thibault, LLP

Address (line 2) High Street Tower

Address (line 3) 125 High Street

Address (line 4) Boston, MA 02110

Pages Enter the total number of pages of the attached conveyance document including any attachments.

6

## Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

## Patent Application Number(s)

09/054,940

## Patent Number(s)

## Patent Cooperation Treaty (PCT)

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT

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## Number of Properties

Enter the total number of properties involved.

#

1

## Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

40.00

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Enclosed ☒Deposit Account ☐

Deposit Account

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20-0531

Authorization to charge additional fees:

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## 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. Charges to deposit account are authorized, as indicated herein.

Steven M. Bauer, Reg. No. 31,481

Name of Person Signing



Signature

9/16/98

Date

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## ASSIGNMENT

WHEREAS, We, Ronald Spangler, David Gilbert, Carl Prestia, Emanuele Bianchini, Kenneth B. Lazarus, Jeffrey W. Moore, Robert N. Jacques, Jonathan C. Allen and Farla M. Russo have invented one or more improvements in:

### BASBALL BAT

described in an application for Letters Patent of the United States:

☐ identified by Attorney Docket No. , and/or executed by us of even date herewith and about to be filed in the United States Patent Office;

☒ Serial No. 09/054,940 filed in the United States Patent Office on April 3, 1998; and

WHEREAS, Active Control eXperts, Inc., (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, and having a usual place of business at 215 First Street, Cambridge, MA 02142 desires to acquire an interest therein, in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns, and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to the inventions described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon or claim priority under international convention, including but not limited to continuations, divisionals, reissues, and reexaminations of said application of such Letters Patent; said inventions, applications and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all of our rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said inventions, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all Letters Patent to ASSIGNEE for its own name as assignee of our entire right, title and interest therein.

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns, and legal representatives, but at its or their expense and charges, including: the execution of applications for patents in foreign countries; the execution of substitution, reissue, divisional or continuation applications; and preliminary or other statements or the giving of testimony in any interference or other proceeding in which said inventions or any application or patent directed thereto may be involved; and we further hereby authorize ASSIGNEE or its attorneys or agents to insert the correct serial number and filing date into this assignment, if none is indicated on that date of our execution of this assignment;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

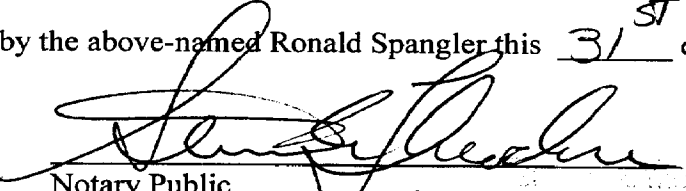
IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor:

  
Ronald Spangler

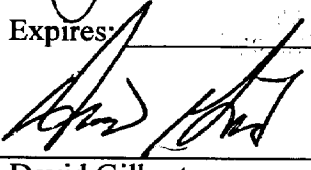
Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Ronald Spangler this 31<sup>st</sup> day of August, 1998.

  
Notary Public

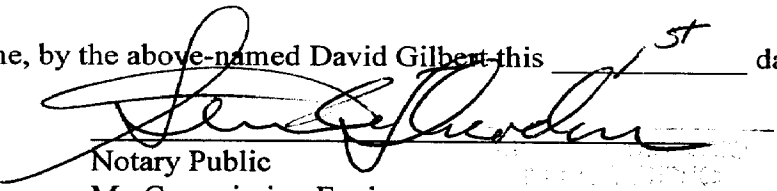
My Commission Expires: \_\_\_\_\_

Inventor:

  
David Gilbert

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named David Gilbert this 1<sup>st</sup> day of September, 1998.

  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

  
Carl Prestia

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Carl Prestia this 8<sup>th</sup> day of September, 1998.

  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

Emanuele Bianchini  
Emanuele Bianchini

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Emanuele Bianchini this

27th day of August, 1998.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

Kenneth B. Lazarus  
Kenneth B. Lazarus

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Kenneth B. Lazarus this

2nd day of September, 1998.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

Jeffrey W. Moore  
Jeffrey W. Moore

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Jeffrey W. Moore this

2nd day of September, 1998.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

Robert N. Jacques  
Robert N. Jacques

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Robert N. Jacques this

27th day of August, 1998.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor: Jonathan C. Allen  
Jonathan C. Allen

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Jonathan C. Allen this 24<sup>th</sup>  
day of August, 1998.

Kate C. Filthies  
Notary Public  
My Commission Expires: 3-20-03

Inventor: Farla M. Russo  
Farla M. Russo

Commonwealth of Massachusetts )  
County of ) ss

Subscribed and sworn to before me, by the above-named Farla M. Russo this 26<sup>th</sup>  
day of August, 1998.

[Signature]  
Notary Public  
My Commission Expires:                     

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