

12-23-1998



100928989

Docket No. 2627-4000US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : COSTELLO et al.

Serial No. : 08/956,540

Group Art Unit: 3735

Filed : October 27, 1997

Examiner: C. Anderson

For : **PORTABLE ELECTRONIC DATA COLLECTION APPARATUS FOR  
MONITORING MUSCULOSKELETAL STRESSES**

**RECORDATION FORM COVER SHEET PURSUANT TO 37 C.F.R. § 3.31**

Hon. Commissioner of Patents and Trademarks  
BOX ASSIGNMENTS  
Washington, D.C. 20231

Sir:

Please record the attached original documents or copy thereof.

1. Name of conveying party/parties:

Kevin J. COSTELLO, 22 Adams Street, Sea Cliff, NY 11579

Chandra NAIR, 2 Fox Street, Glen Cove, NY 11542

Cynthia ROTH, 118 Hampton Blvd, Massapequa, NY 11758

Dennis A. MITCHELL, 40 Oakwood Rd., Apt. 3N, Huntington, NY 11743.

2. Name and address of receiving party/parties:

Name ERGONOMIC TECHNOLOGIES CORP.

Internal Address: \_\_\_\_\_

Street Address: 185 South Street

City Oyster Bay

State New York

ZIP 11771

☐ Additional names and addresses attached.

3. Name of conveyance: ☒ Assignment ☐ Merger ☐ Security Agreement

☐ Change of Name      ☐ Other \_\_\_\_\_  
Execution Date: February 15, 1996

## 4. Application Number(s) or Patent Number(s):

☐ This document is being filed together with a new application which was executed on \_\_\_\_\_.

☒ Patent Application No.(s) 08/956,540, filed October 23, 1997

☐ Patent No.(s) \_\_\_\_\_.

## 5. Address all future communications to:

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154

## 6. Total number of applications and patents involved: One (1).

## 7. Total fee (37 CFR §3.41): \$40.00 property x 1 property(ies) = \$ 40.00.

☒ A check in the amount of \$ 40.00 to cover the recordation fee is enclosed.

☐ Charge fee to Deposit Account No. 13-4500. Order No 2627-4000US1.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this recordation, or credit any overpayment to Deposit Account No. 13-4500. Order No. 2627-4000US1.

## 8. 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.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.



By: Chris L. Holm

Dated: December 14, 1998

Registration No. 39,227

CORRESPONDENCE ADDRESS:

Total number of pages including the recordation cover sheet 5

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Facsimile

## ASSIGNMENT AND AGREEMENT




For value received, we, Kevin J. Costello, Chandra Nair, Cynthia Roth and Dennis A. Mitchell, all of the State of New York, hereby sell, assign and transfer to the ERGONOMIC TECHNOLOGIES CORP., a corporation of the State of New York, having an office at 185 South Street, Oyster Bay, New York 11771, and its successors, assigns and legal representatives, hereinafter collectively ETC, the entire right, title and interest, for the United States of America, in and to certain inventions related to **PORTABLE ELECTRONIC DATA COLLECTION APPARATUS FOR MONITORING MUSCULOSKELETAL STRESSES** described in application Serial No. **08/550,676**, filed on **October 31, 1995**, for Letters Patent of the United States, executed by us, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to ETC the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize ETC to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ETC to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to ETC in the United States and to ETC in all countries foreign to the United States, or to such nominees as they may designate.

We agree that, when requested, we shall, without charge to ETC but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

  
Kevin J. Costello Date: 2/15/96

Address: 22 Adams Street, Sea Cliff, New York 11579

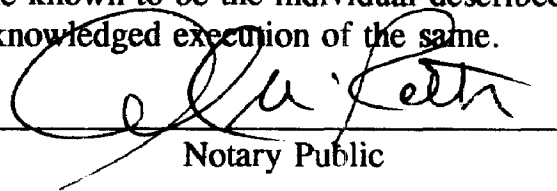
United States of America )

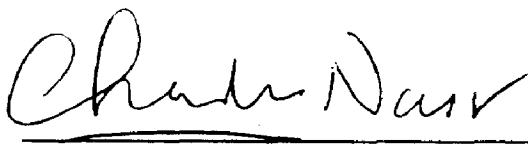
State of New York ) ss.:

County of NASSAU )

On this 15<sup>th</sup> day of February, 19 96, before me personally came Kevin J. Costello, to me known to be the individual described in and who executed the foregoing instruments, and acknowledged execution of the same.

**ANDREW M. ROTH**  
Notary Public, State of New York  
No. 02RO5012497  
Qualified in Nassau County  
Commission Expires June 15, 1997

  
Notary Public

  
Chandra Nair Date: 2/15/96

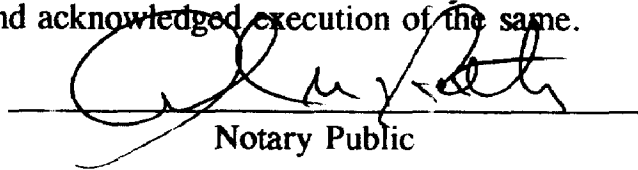
Address: 2 Fox Street, Glen Cove, New York 11542

United States of America )

State of New York ) ss.:

County of NASSAU )

On this 15 day of February, 19 96, before me personally came Chandra Nair, to me known to be the individual described in and who executed the foregoing instruments, and acknowledged execution of the same.

  
Notary Public

**ANDREW M. ROTH**  
Notary Public, State of New York  
No. 02RO5012497  
Qualified in Nassau County  
Commission Expires June 15, 1997

Cynthia Roth Date: 2/15/96  
Cynthia Roth

Address: 118 Hampton Blvd., Massapequa, New York 11758

United States of America )

State of New York ) ss.:

County of NASSAU )

On this 15 day of February, 1996, before me personally came Cynthia Roth, to me known to be the individual described in and who executed the foregoing instruments, and acknowledged execution of the same.

**ANDREW M. ROTH**  
Notary Public, State of New York  
No. 02RO5012497  
Qualified in Nassau County  
Commission Expires June 15, 1996/1997

Andrew M. Roth  
Notary Public

Dennis A. Mitchell  
Dennis A. Mitchell

Date: Feb 15/96

Address: 40 Oakwood Rd., Apt. 3N, Huntington, New York 11743

United States of America )

State of New York ) ss.:

County of NASSAU )

On this 15 day of February, 1996, before me personally came Dennis A. Mitchell, to me known to be the individual described in and who executed the foregoing instruments, and acknowledged execution of the same.

**ANDREW M. ROTH**  
Notary Public, State of New York  
No. 02RO5012497  
Qualified in Nassau County  
Commission Expires June 15, 1996/1997

Andrew M. Roth  
Notary Public