

12-29-1998



Attorney's Docket No. 97-010

100930742

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Assignments
Commissioner of Patents and Trademarks
Washington, D.C. 20231

NOTE: "Documents and cover sheets to be recorded should be addressed to Assistant Commissioner for Patents, Box Assignments, Washington, D.C. 20231, unless they are filed together with new applications or with a petition under S 3.81(b)." 37 CFR 3.27.

ASSIGNMENT (DOCUMENT) COVER SHEET (37 CFR 3.31)

NOTE: "A cover sheet may not refer to both patents and trademarks." 37 CFR 3.31(b).

Attached please find an assignment (document) for recordal.

IDENTIFICATION OF APPLICATION(S) AND/OR PATENT(S)
FOR ASSIGNMENT (DOCUMENT) RECORDAL
(37 CFR 3.21 and 37 CFR 3.31(a)(4))

NOTE: "An assignment relating to a patent must identify the patent by the patent number. An assignment relating to a national patent application must identify the national patent application by the application number (consisting of the series code and the serial number, e.g., 07/123,456) or the serial number and the filing date. An assignment relating to an international patent application which designates the United States of America must identify the international application by the international application number (e.g., PCT/US90/31234)." 37 CFR 3.21.

NOTE: S 3.21 does not apply to documents other than assignment. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

1. This assignment is for the following patent application and/or issued patent:

PRODUCTION OF POWDER FORMULATIONS

National application: SN: 09/157,918
filed on September 21, 1998

Provisional application: /
filed on

International application: PCT/ /

Patent No: Issued:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: The Assistant Commissioner for Patents, Washington D.C. 20231.

On December 18, 1998

Henry E. Bartony Jr.
Henry E. Bartony Jr.
Registration No. 34,772

December 18, 1998
Date

(Assignment (Document) Cover Sheet [16-6]-page 1 of 6)

PATENT
REEL: 009658 FRAME: 0533

RECEIVED
1998 DEC 21 PM 4:08
OPR/FINANCE

MDP 12-18-98

(COMPLETE IF APPLICABLE) which was previously assigned and recorded

Date _____

Reel _____

Frame _____

(ALSO COMPLETE THE FOLLOWING, IF APPLICABLE)

[] and also for the applications and/or patents
shown on the attached list of FURTHER
APPLICATION(S) and/or PATENT(S) BEING ASSIGNED

Number of pages added _____

NOTE: 'Where there is a listing of properties contained within a document,
any listing may be copied and attached to the cover sheet to reduce
the amount of typing necessary. A notation of this attachment can be
made in lieu of entering every property identification number on the
cover sheet. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

**TOTAL NUMBER OF APPLICATIONS AND/OR PATENTS
AND TOTAL FEE (37 CFR 3.28(a)(6))**

2. A. The total number of applications and/or patents identified in this cover
sheet is

_____ 1 _____.

B. The total fee is (37 CFR 1.21(h)):

_____ 1 _____ X \$40.00 = \$ _____ 40.00
Total number of applications
and/or patents

C. Payment of fee is made by:

[x] the attached check for \$ _____ 40.00 _____.

[] Please charge Account _____

the sum of \$ _____.

A duplicate of this cover sheet is attached.

Please charge Account _____ 02-1065 _____ for any fee deficiency or
credit to account any overpayment.

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

NOTE: ''The term 'party' as used in this rule [S 3.31] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the documents.'' Notice of June 24, 1992 (1140 O.G. 63-72, at 65).

3. The party(ies) conveying interest is (are):

Name 1: Eric J. Beckman

Name 2: Mark O'Niell

**NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST
(37 CFR 3.31(a) (2))**

4. The rights are being conveyed to:

Name: University of Pittsburgh

Address: Cathedral of Learning

Pittsburgh, PA 15260 U.S.A

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

5. The accompanying document intends to accomplish:

☒ an assignment.

☐ a security agreement.

☐ a merger.

☐ a license.

☐ 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))**

6. Please address correspondence to:

Name: Henry E. Bartony, Jr.

Address: Law & Finance Building
Suite 1801
429 Fourth Avenue
Pittsburgh, PA 15219 USA

Telephone No.: (412) 338-8632

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

7. The attached assignment (document) was executed on
December 15, 1998.

(date)

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

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

8. The attached document:

☒ is in the English language.

☐ is not in the English language and a verified English translation signed by the individual making the translation 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. (8 1/2 x 14 inches) with a 2.5 cm. (one-inch) margin on all sides." 37 CFR 3.24.

9. 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. S 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.

(Assignment (Document) Cover Sheet [16-6]-page 4 of 6)

**PATENT
REEL: 009658 FRAME: 0536**

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF ADDRESS

(check item, if applicable)

10. ☐ Because the purpose of the attached documents is to record a change of address of the assignee, the particulars of the previously recorded assignments for each application and/or patent are shown.

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF NAME

(check item, if applicable)

11. ☐ Because the purpose of the attached documents is to record a change of name of the assignee, the particulars of the previously recorded assignments for each application and/or patent are shown.

CHANGE OF PATENT MAINTENANCE FEE ADDRESS

(check item, if applicable)

12. ☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent to the Office separately.

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

13. 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.

NOTE: ''The term 'party' as used in this rule [S 3.31] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the document.'' Notice of June 24, 1992, 1140 O.G. 63-76, at 65.

Date: December 18, 1998

Henry E. Bartony, Jr.
Name of party submitting document
Henry E. Bartony, Jr.
Signature of party submitting document

(COMPLETE THE FOLLOWING, IF THE PARTY
SUBMITTING THE DOCUMENT IS
APPLICANT'S ATTORNEY)

Reg. No.: 34,772

Henry E. Bartony, Jr.
SIGNATURE OF ATTORNEY

Tel. No.: (412) 338-8632

Henry E. Bartony, Jr.
(TYPE OR PRINT NAME OF ATTORNEY)
Bartony Hare & Edson
Suite 1801, Law & Finance Building
429 Fourth Avenue
Pittsburgh, PA 15219
P.O. Address

Fax No.: (412) 338-6611

TOTAL NUMBER OF PAGES BEING SUBMITTED

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

9
Total number of pages submitted

For:[x] U.S. and [x] Foreign Rights
For:[x] U.S. Application or
[] U.S. Provisional Application
For:[] U.S. Patent
For:[] PCT Application
By: [x] Inventor(s) or [] Present Owner

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:

Inventor(s) or
person(s) or
entity(ies) who own the
invention

1. Eric J. Beckman
(TYPE OR PRINT NAME(S) OF ASSIGNOR(S))
417 Willow Place
ADDRESS
Pittsburgh, Pennsylvania 15218
USA
NATIONALITY
2. Mark O'Niell
(TYPE OR PRINT NAME(S) OF ASSIGNOR(S))
830 N. 30th Street
ADDRESS
Allentown, Pennsylvania 18104
Canada
NATIONALITY

(if assignment is by person or entity to whom invention was previously
assigned

and this was recorded in PTO, add the following)

Recorded on _____ Reel _____
Frame _____

hereby sells, assigns and transfers to

ASSIGNEE:

University of Pittsburgh
(TYPE OR PRINT NAME(S) OF ASSIGNEE(S))
Cathedral of Learning
Address
Pittsburgh, Pennsylvania 15260
USA
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

☒ the entire right, title and interest

☐ an undivided _____ percent (_____ %) interest

for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

☒ and in all foreign countries, including all rights to claim priority,

in and to any and all improvements which are disclosed in the invention entitled:

PRODUCTION OF POWDER FORMULATIONS

Name of inventor(s) Eric J. Beckman and Mark O'Niell

(check and complete (a), (b), (c), (d), (e), (f) or (g))

and which is found in

(a) ☐ U.S. patent application executed on even date herewith

(b) ☐ U.S. patent application executed on _____

(c) ☐ U.S. provisional application naming the above inventor(s) for the above-entitled invention.

☐ Express mail label no.: _____
Mailed: _____

☒ To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.

(d) ☒ U.S. application no. 09/157,918
filed on September 21, 1998

☒ Express mail label no.: EL033815842US

(e) ☐ International application no. PCT/ _____/ _____

(f) ☐ U.S. patent no. _____ issued _____

☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

(g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for the Inventions by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent, any reissue or re-examination thereof.

ASSIGNOR(S) hereby covenant that no assignment, sale, grant, mortgage, license, encumbrance or other agreement affecting the rights and property herein conveyed has been or will be made or entered into, and that ASSIGNOR(S) have the full right to convey the same.

(Assignment of Invention [16-3]-page 2 of 3)

PATENT
REEL: 009658 FRAME: 0540

ASSIGNOR(S) further agree that when requested, without charge to, but at the expense of ASSIGNEE, that ASSIGNOR(S) will: 1) execute, for all countries, all divisions, reissues, reexaminations, continuations, renewals, extensions and all other patent applications on any and all of the Inventions; 2) execute all rightful oaths and other papers; 3) communicate all facts known to ASSIGNOR(S) relating to the Inventions and the history thereof; 4) testify in all legal proceedings; and 5) generally do everything possible which Assignee, its successors, assigns and representatives shall consider desirable for aiding in securing, maintaining and/or enforcing ASSIGNEE'S rights and patent protection in said Inventions, and for vesting title therein in ASSIGNEE, its successors, assigns and legal representatives.


ASSIGNOR(S) further agree that ASSIGNEE shall have and to hold the interests assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues, reexaminations, continuations, renewals, and/or extensions thereof, respectively, as fully and entirely as the same would have been held and enjoyed by ASSIGNOR(S) had this assignment not been made.

ASSIGNOR(S) further authorize and request the United States Commissioner of Patent and Trademarks and any corresponding foreign officer to issue to ASSIGNEE, its successors, assigns and legal representatives, any and all United States and foreign Letters Patent on the Inventions.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal the signing indicated below.

WARNING: THE DATE OF SIGNING MUST BE THE SAME AS THE DATE OF EXECUTION OF THE APPLICATION, IF ITEM (A) WAS CHECKED ABOVE.

Date: 12/15/98


Signature of ASSIGNOR(S)

Date: Dec 15/98


Title

(if ASSIGNOR is a legal entity, complete the following information)

(TYPE OR PRINT THE NAME OF THE ABOVE
PERSON
AUTHORIZED TO SIGN ON BEHALF OF
ASSIGNOR)

Title

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.

[] Notarization or Legalization Page Added.