

MRD RECC 2/16/99

02-19-1999

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To the Honorable Commissioner of Patents

100966244

Send original documents or copy thereof.

1. Name of conveying party(ies):

John R. Couture
Colin J. MacDonald, Jr.

Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)

Name: Symmons Industries, Inc.

Internal Address: _____

Street Address: 31 Brooks Drive

City: Braintree State: MA ZIP: 02184

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other _____

Execution Date: February 9, 1999

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)
09/227,077

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Pandiscio & Pandiscio

Internal Address: Nicholas A. Pandiscio

Street Address: 470 Totten Pond Road

City: Waltham State: MA ZIP: 02451-1914

6. Total number of applications and patents involved: 1

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

- Enclosed
- Authorized to be charged to deposit account (any deficiencies)

8. Deposit account number:

16-0221

(Attach duplicate copy of this page if paying by deposit account)

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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.

Nicholas A. Pandiscio

Name of Person Signing

Nicholas A. Pandiscio
Signature

2/17/99
Date

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

ASSIGNMENT

We, John R. Couture, Colin J. MacDonald, Jr.,
Somerset, MA 02726, residing respectively at 6 Sycamore Terrace,
Massachusetts 02356, 21 Ramblewood Drive, North Easton,

having invented improvements in TEMPERED WATER MIXING SYSTEM
and having this day executed an application for United States patent describing
the same and based thereon (and we hereby authorize our attorney(s), authorized
to prosecute said application, to here insert the filing date and serial number
of said application, when known, Serial No. 09/227,077, Filed 01/05/99),
for good and valuable consideration, receipt of which is hereby acknowledged
from Symmons Industries, Inc. a Massachusetts

Braintree, Massachusetts corporation having its principal place of business in
hereinafter called the Assignee
(which term shall include its successors and assigns) do hereby sell, assign
and transfer unto the Assignee our entire right, title, and interest, in and
throughout the United States of America (including its territories and depend-
encies) and all countries foreign thereto, in and to and under said application
(which term shall include hereinafter where the context so admits all division-
al, continuing, reissue and other patent applications based thereon) and the
inventions (which term shall include each and every such invention, or any part
thereof) therein described, and any and all patents and like rights of exclu-
sion (including extensions thereof) of any country which may be granted on or
for said inventions or on said application.

And for the same consideration we do also hereby sell, assign and transfer unto
the Assignee all our rights under the International Convention for the Protec-
tion of Industrial Property and all other treaties of like purpose in respect
of said inventions and said application and we do hereby authorize the Assignee
to apply in our names or its own name for patents and like rights of exclusion
on or for said inventions in all countries, claiming (if the Assignee so de-
sires) the priority of the filing date of said application under the provisions
of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for
ourselves and for our respective heirs, executors and administrators, promptly
upon request of the Assignee, to execute and deliver without further compensa-
tion any power of attorney, assignment, original, divisional, continuing, re-
issue or other application or applications for patent or patents or like
rights of exclusion of any country, or other lawful documents and any further
assurances that may be deemed necessary or desirable by the Assignee fully to
secure to it said right, title, and interest as aforesaid in and to said in-
ventions, application, and said several patents and like rights of exclusion,
or any of them, all, however, at the expense of the Assignee;

And we do hereby authorize and request the Commissioner of Patents of the
United States of America and the corresponding Officer of each country foreign
thereto to issue to the Assignee any and all patents and like rights of ex-
clusion which may be granted in any country upon said application or on or for
said inventions;

DOCKET
NO.

SYM-28

- 1 -

PANDISCIO & PANDISCIO
470 TOTTER POND ROAD
WALTHAM, MA 02154
TEL: (617) 290-0080
TELECOPIER: (617) 290-4840

PATENT
REEL: 9758 FRAME: 0472

And we do hereby jointly and severally covenant for ourselves and for our respective legal representatives and agree with the Assignee that we have granted no right or license to make, use or sell said inventions to anyone except the Assignee, that prior to the execution of this deed our right, title and interest in and to said inventions has not been otherwise encumbered by us, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.

John R. Couture
John R. Couture
Colin J. MacDonald, Jr.
Colin J. MacDonald, Jr.

State of Massachusetts)
County of Norfolk) ss.

Before me this 9th day of February,
19 99, personally appeared John R. Couture, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL

William B. O'Keefe
NOTARY PUBLIC

State of Massachusetts)
County of Norfolk) ss.

Before me this 9th day of February,
19 99, personally appeared Colin J. MacDonald, Jr., who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL

William B. O'Keefe
NOTARY PUBLIC

State of _____)
County of _____) ss.

Before me this _____ day of _____,
19 _____, personally appeared _____, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL

NOTARY PUBLIC

DOCKET
NO.

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TELECOPIER: (617) 290-4840