

02-19-1999  
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To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

63-2-2-89  
MEO

1. Name of conveying party(ies):

James S. Birrell

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

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other \_\_\_\_\_

Execution date: December 11, 1998

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

Name: Precor Incorporated  
Address: 20001 North Creek Parkway North

City: Bothell State: WA ZIP: 98011

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

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

A. Patent Application No(s). 09/185,385

B. Patent No(s).

Additional numbers attached?  Yes  No

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

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

Jerald E. Nagae, Esq.  
CHRISTENSEN O'CONNOR  
JOHNSON & KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101-2347  
(206) 682-8100

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. 3.41): ..... \$ 40.00  
Check No. 102999 in the amount of \$40.00 is enclosed.

8. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

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.*

Jerald E. Nagae  
Name of Attorney or Agent  
Registration No. 29,418  
Direct Dial (206) 695-1705

Jerald E. Nagae  
Signature

February 2, 1999  
Date

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

OMB No. 0651-0011 (exp. 4/94)

02/10/1999 NTEKLEMI 00000086 09185385

01 FC:581

40.00 DP

**ASSIGNMENT**

WHEREAS, I, James S. Birrell, residing at 808 N.W. 116th Street, Seattle, Washington 98177, am the inventor named in an application for Letters Patent of the United States, entitled **INDEPENDENT ELLIPTICAL MOTION EXERCISER**, executed on December 11, 1998 ;

AND, WHEREAS, Precor Incorporated, a Delaware corporation, having a principal place of business at 20001 North Creek Parkway North, Bothell, Washington 98011 (hereinafter referred to as ASSIGNEE), is desirous of acquiring my entire right and title to and interest in my invention disclosed in said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, I do hereby sell, assign and transfer unto ASSIGNEE my entire right and title to and interest in said application and said invention, including the right to apply for international patents and patents thereon in foreign countries in my name or in the name of ASSIGNEE, said invention and all applications and patents on said invention to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by me had this sale, assignment and transfer not been made, and I do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention, to enforce any and all patents on said invention, and to confirm in ASSIGNEE legal title to said invention and all applications and patents on said invention, all without charge to ASSIGNEE but at no expense to me.

Executed at Bothell (city), Washington (state), this 11th day of December, 1998.

  
 \_\_\_\_\_  
 James S. Birrell

STATE OF WASHINGTON )  
   ) ss.  
 COUNTY OF KING      )

I certify that I know or have satisfactory evidence that James S. Birrell is the person who appeared before me, and said person acknowledged that he signed this instrument and

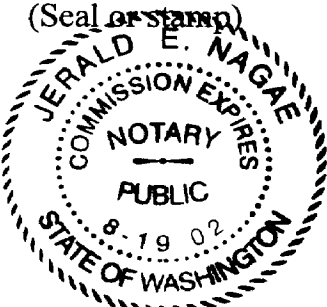
acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: December 11, 1998

Jerald E. Nagae

Signature  
Printed Name: JERALD E. NAGAE

Notary Public  
My appointment expires 8/19/02



JEN/BWQ:hjd