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3.3.99



U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

100983529

To the Honorable Commissioner of Patents :

original documents or copy thereof.

1. Name of conveying party(ies):  
David Kenneth Macfarlane and Fred W. Billmeyer, Jr.

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

2. Name and address of receiving party(ies)

Name: Chromatics Color Sciences International, Inc.

Address: 5 East 80<sup>th</sup> Street

City: New York State: NY Zip: 10021

Additional name(s) and address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: February 23, 1999 and February 10, 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)

Ser. No. 08/939,232, filed September 29, 1997

B. Patent No.(s)

Additional numbers attached?

☐ Yes

☒ No

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

Name: Richard G. Berkley

BAKER & BOTTS, L.L.P.

Address: 30 Rockefeller Plaza - 44 Fl.

City: New York State: NY Zip: 10112

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

8. Deposit account number:

02-4377

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

03/08/1999 JSHBAZZ 00000157 08939232

FC:581

40.00 OP

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9. Statement and signature

*To the best of my knowledge and belief, the foregoing instrumentation is true and correct and any attached copy is a true copy of the original document.*

Richard G. Berkley Reg.No.25,465

Name of Person Signing

Richard G. Berkley  
Signature

February 25, 1999

Date

Total number of pages including cover sheet, attachments and document: 4 + check

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ASSIGNMENT

WHEREAS, WE, DARBY SIMPSON MACFARLANE, DAVID KENNETH MACFARLANE and FRED W. BILLMEYER, JR., citizens of United States, whose post office addresses are 10 Old Jackson Avenue, Unit 28, Hastings-on-Hudson, County of Westchester, State of New York; 10 Old Jackson Avenue, Unit 28, Hastings-on-Hudson, County of Westchester, State of New York; 1294 Garner Avenue, Schenectady, County of Schenectady, State of New York, respectively, have made an invention entitled "METHOD AND APPARATUS FOR DETECTING AND MEASURING CONDITIONS AFFECTING COLOR" as set forth and described in application for Letters Patent of the United States, Serial No. 08/939,232, filed September 29, 1997; and

WHEREAS, CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., a corporation organized and existing under the laws of New York, and having an office for the transaction of business at 5 East 80<sup>th</sup> Street, New York, New York 10021, is desirous of acquiring the entire right, title and interest in and to said invention and any improvements thereon, and in and to the said application for Letters Patent therefor, and any Letters Patent which may be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that WE, the said DARBY SIMPSON MACFARLANE, DAVID KENNETH MACFARLANE and FRED W. BILLMEYER, JR., for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to us in hand paid by said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., and other valuable considerations unto us moving from said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., its successors and assigns, the entire right, title and interest in and to the said invention entitled "METHOD AND APPARATUS FOR DETECTING AND MEASURING CONDITIONS AFFECTING COLOR" as set forth and described in application for Letters Patent of the United States, Serial No. 08/939,232, filed September 29, 1997, and any and all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States which may be issued on any of said applications, and any reissues thereof, and in and to any and all applications for Letters Patent filed in foreign countries for said invention or improvements including all priority rights, and any and all Letters Patent which may be granted in foreign countries therefor, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

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AND WE, the said DARBY SIMPSON MACFARLANE, DAVID KENNETH MACFARLANE and FRED W. BILLMEYER, JR., do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States to said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., as the assignee of the entire right, title and interest in and to the same, for the sole use and benefit of said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., its successors and assigns;

AND WE, the said DARBY SIMPSON MACFARLANE, DAVID KENNETH MACFARLANE and FRED W. BILLMEYER, JR., for the considerations aforesaid, do hereby covenant and agree to and with said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., its successors and assigns, that we have the full power to make this assignment, and that the rights assigned are not encumbered by any grant, license or right heretofore given, and that we, our executors or administrators, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., its successors and assigns, may be required or necessary more effectively to secure to and vest in said CHROMATICS COLOR SCIENCES INTERNATIONAL, INC., its successors and assigns, the entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, titles, benefits, privileges, and advantages hereby sold, assigned, transferred and conveyed, and that we will sign any applications for reissue which may be desired by the owner of the patent or patents which may be issued for the said invention or improvements.

IN WITNESS WHEREOF, WE, the said DARBY SIMPSON MACFARLANE, DAVID KENNETH MACFARLANE and FRED W. BILLMEYER, JR, have hereunto set our hands and seals on the date below written.

\_\_\_\_\_  
DARBY SIMPSON MACFARLANE

STATE OF NEW YORK     )

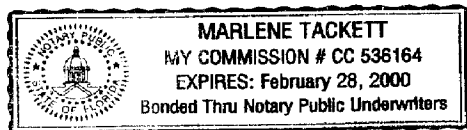
: ss.:

COUNTY OF NEW YORK )

BE IT KNOWN, that on this \_\_\_\_ day of \_\_\_\_\_, 1999, before me personally came DARBY SIMPSON MACFARLANE, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and she

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acknowledged to me that she executed the same as her free act and deed for the use and purposes therein mentioned.



Marlene Tackett  
Notary Public

David Kenneth MacFarlane  
DAVID KENNETH MACFARLANE

STATE OF NEW YORK )

: SS.:

COUNTY OF ~~NEW YORK~~ )  
WESTCHESTER

BE IT KNOWN, that on this 23 day of February, 1999, before me personally came DAVID KENNETH MACFARLANE, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he **ANDREW REINHERTZ** acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Andrew Reinhertz  
Notary Public

Notary Public, State of New York  
# 423355  
Westchester County  
March 31, 2000

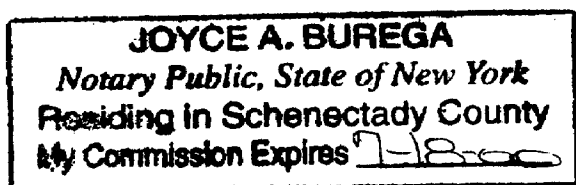
Fred W. Billmeyer, Jr.  
FRED W. BILLMEYER, JR.

STATE OF NEW YORK )

: SS.:

COUNTY OF SCHENECTADY)

BE IT KNOWN, that on this 10<sup>th</sup> day of February, 1999, before me personally came FRED W. BILLMEYER, JR., to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.



Joyce A. Burega  
Notary Public

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RECORDED: 03/03/1999

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REEL: 9796 FRAME: 0959