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FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0027

04-08-1999

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**



101005765

**RECORDATION FORM COVER SHEET  
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APR 2

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

New

Resubmission (Non-Recordation)  
Document ID#

Correction of PTO Error  
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Corrective Document  
Reel #  Frame #

**Conveyance Type**

Assignment  Security Agreement

License  Change of Name

Merger  Other

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01 FC:581

320.00 DP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**PATENT**

REEL: 9866 FRAME: 0237

APR 2 1999

Correspondent Name and Address

Area Code and Telephone Number

215-979-1000

Name William H. Murray, Esquire

Address (line 1) Duane, Morris & Heckscher LLP

Address (line 2) One Liberty Place

Address (line 3) Suite 4200

Address (line 4) Philadelphia, PA 19103-7396

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

# 3

Application Number(s) or Patent Number(s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

09173235

5130699

5321627

5501918

5270133

5368956

5288565

5376479

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT  PCT  PCT   
PCT  PCT  PCT

Number of Properties

Enter the total number of properties involved.

# 8

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 320.00

Method of Payment:  
Deposit Account

Enclosed  Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 04-1679

Authorization to charge additional fees:

Yes  No

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. Charges to deposit account are authorized, as indicated herein.

Allison Z. Gifford

*Allison Z. Gifford*

3/29/99

Name of Person Signing

Signature

Date

**Exhibit 1 to the  
Confirmatory Assignment of Patents**

<u>Country</u>	<u>Patent No.</u>	<u>Application No.</u>	<u>Issue Date</u>	<u>Filing Date</u>
United States	5,130,699		07/14/92	
United States	5,270,133	08/026,269	12/14/93	03/04/93
United States	5,288,565		02/22/94	
United States	5,321,627		06/14/94	
United States	5,368,956	08/014,626	11/29/94	02/08/93
United States	5,376,479		12/27/94	
United States	5,501,918		03/26/96	
United States		09/173,235		10/15/98

**Confirmatory Assignment of Patents**

This Confirmatory Assignment of Patents is made as of the 1st day of March, 1999, by Johnson Controls Technology Company, a Michigan corporation with its principal place of business at 49200 Halyard Drive, Plymouth, Michigan 48170 (the "Seller"), and C&D/Charter Holdings, Inc., a Delaware corporation with its principal place of business at P.O. Box 8985, 1105 North Market Street, Suite 1300, Wilmington, Delaware 19899 ("Purchaser").

WHEREAS, the Seller is the owner of the patents, and the applications for patents, shown on the attached Exhibit 1 to this Confirmatory Assignment of Patents;

AND WHEREAS, the Purchaser is desirous of acquiring said patents and said applications for patents.

NOW, THEREFORE, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby expressly acknowledged, the Seller agrees to sell, assign, and transfer to Purchaser, and the Purchaser agrees to accept the sale, assignment, and transfer by the Seller and the Seller does hereby sell, assign, and transfer to said Purchaser, Seller's entire right, title and interest in and to said patents and said applications for patents, including all continuations, divisions, reissues, and reexaminations thereof and the inventions described therein, and Seller's entire right, title and interest in and to any and all claims and demands it may have, at law or in equity, for past and/or future infringement of said patents and said applications for patents.

This Confirmatory Assignment of Patents is pursuant to the Purchase and Sale Agreement among Johnson Controls, Inc. and its Subsidiaries and C&D Technologies, Inc. and C&D Acquisition Corp., dated as of November 23, 1998.

IN WITNESS WHEREOF, the parties have caused this Confirmatory Assignment of Patents to be executed and sealed by their duly authorized officers as of the date first written above.

Johnson Controls Technology Company

By:  \_\_\_\_\_

Name: James T. Lucke

Title: Attorney-in-fact

STATE OF WISCONSIN )  
 )  
COUNTY OF MILWAUKEE )

I, Roderick A. Peña, a Notary Public in and for the State and County aforesaid, do hereby certify that on this 1<sup>st</sup> day of March, 1999, the above-noted person, to me personally known, did appear before me and say that he is the Attorney-in-fact of Johnson Controls Technology Company, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said instrument is the free act and deed of said corporation.

Subscribed and sworn to before me this 1<sup>st</sup> day of March, 1999.

Notary Public, State of Wisconsin  
My commission expires: 11/3/2002

(SEAL)

C&D/Charter Holdings, Inc.

By:

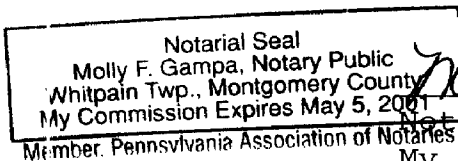
Name: Robert T. M. 26

Title: VP-Treasurer

STATE OF Pennsylvania )  
 )  
COUNTY OF Montgomery )

I, Molly F. Gampa a Notary Public in and for the State and County aforesaid, do hereby certify that on this 8<sup>th</sup> day of March, 1999, the above-noted person, to me personally known, did appear before me and say that he/she is the VP/Treasurer of C&D/Charter Holdings, Inc., and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said instrument is the free act and deed of said corporation.

Subscribed and sworn to before me this 8<sup>th</sup> day of March, 1999.



Notary Public, State of Pennsylvania  
My commission expires: May 5, 2001

(SEAL)