

A/O 581-40

405 Rec'd PCT/PTO 04 DEC 1998

09/194934

COVER SHEET FORWARDING ASSIGNMENT OR
OTHER CONVEYANCE FOR RECORDING

04-19-1999



101014559

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

mrd
12/4/98

Dear Sir:

Please record the attached original document:

1. Name of conveying party: Richard David Vargo and Harlan William
Frerking, Jr.

2. Name and address of receiving party: The Goodyear Tire & Rubber
Company, 1144 East Market Street, Akron, OH 44316

3. Nature of conveyance:

Assignment Merger

Security Agreement Change of Name

Other.....

Execution Date: August 28, 1996

4. Application number(s) or patent number(s): 09/194934

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

a. Patent Application No.(s):

12/09/1998 MCLAYBRD 00000130 071725 09194934

b. Patent No.(s):

02 FC:581

40.00 CH

c. International Application No.(s): PCT/US96/14260

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

Roger D. Emerson, Esquire

4421 Ranchwood Spur
Akron, OH 44333-1343

6. Total number of applications and patents involved: [1]
7. Total fee (37 CFR 1.21(h)):...1...X \$40.00 = \$40.00.


[] A check in the amount of \$..... which includes the fee for recording the Assignment is enclosed.

[X] Please charge deposit account 07-1725 in the amount of \$40.00 to cover the recording fee.

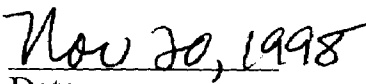
8. Please charge any additional fees due, or credit any overpayment to deposit account number 07-1725.

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.



Roger D. Emerson, Esquire



Date

Reg. No.: 33,169
4421 Ranchwood Spur
Akron, Ohio 44333-1343

Total number of pages comprising cover sheet: [2]

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ASSIGNMENT

WHEREAS, WE Richard David Vargo and Harlan William Frerking, Jr.

of 4172 Kenneth Road, Stow Ohio 44224 and 11154 Immel Avenue, N.E., Hartville, Ohio 44632 have invented certain improvements in SYSTEM AND METHOD FOR CONTROLLING THE SIZE OF MATERIAL BANKS IN CALENDERS, MILLS, AND FEED MILLS

and described in a patent application executed the 29th day of August, 1996 by the undersigned for filing in The United States of America, being owner(s) of all right, title and interest in and to said application and in and to any invention described therein and having full right to convey the entire interest both legal and equitable herein assigned; and

WHEREAS, THE GOODYEAR TIRE & RUBBER COMPANY, of Akron, Ohio 44316, a corporation of the State of Ohio (assignee) is desirous of acquiring the entire right, title and interest in and to said application and said invention described therein and any and all patents to be obtained therefor, all as hereinafter set forth:

NOW, THEREFORE, in consideration of good and valuable consideration received by the undersigned, the undersigned does (do) hereby sell, assign, transfer and set over unto said assignee, its successors and assigns, the entire right, title and interest in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any application filed in any foreign country based thereon, including the right to file said foreign applications under the provisions of the International Convention; also the entire right, title and interest in and to any and all patents or reissues or extensions thereof to be obtained in this or any foreign country upon said invention or inventions and any divisional, continuation, continuation-in-part or substitute applications which may be filed upon said invention or inventions in this or any foreign country; and the undersigned hereby authorize(s) and request(s) the issuing authority to issue any and all patents on said application or applications to said assignee or its successors and assigns.

The undersigned further agree(s) to execute all divisional, continuing, substitute, improvement, extension, reissue and other patent applications in this or any foreign country relating to said application or invention and to sign all other lawful papers and to perform all other lawful acts without further consideration, but without expense to myself (ourselves), which the assignee may deem necessary or desirable to make this Assignment fully effective including by way of example, but not of limitation, the following acts:

- (1) Prompt execution of all lawful oaths, affidavits and/or supplemental oaths required or deemed advisable by the assignee to further the prosecution of any application or applications for letters patent relating to the subject matter of this Assignment;
- (2) To co-operate to the best of my (our) ability in the execution of all lawful documents, the production of evidence, and the giving of testimony in interference, opposition, nullification or infringement proceedings involving the said invention or improvement, applications or patents or any of them.

The undersigned hereby authorize(s) said assignee to insert in this Assignment the serial number and filing date of the above-identified application when known.

IN WITNESS WHEREOF, the undersigned has (have) hereunto set his (their) hand(s) and seal(s) on the date(s) set after his (their) signature(s).

| | | | | | |
|----------------------|--------|-------------------------------------|---|----------------|--------------|
| <u>Roger Emerson</u> | (L.S.) | <u>Richard David Vargo</u> | , | <u>9-26</u> | 19 <u>96</u> |
| WITNESS | | Richard David Vargo | | | |
| <u>Roger Emerson</u> | (L.S.) | <u>Harlan William Frerking, Jr.</u> | , | <u>Sept 26</u> | 19 <u>96</u> |
| WITNESS | | Harlan William Frerking, Jr. | | | |
| _____ | (L.S.) | _____ | , | _____ | 19____ |
| WITNESS | | | | | |
| _____ | (L.S.) | _____ | , | _____ | 19____ |
| WITNESS | | | | | |
| _____ | (L.S.) | _____ | , | _____ | 19____ |
| WITNESS | | | | | |
| _____ | (L.S.) | _____ | , | _____ | 19____ |
| WITNESS | | | | | |
| _____ | (L.S.) | _____ | , | _____ | 19____ |
| WITNESS | | | | | |

State of Ohio)
County of Summit) SS:
On this 26th day of September, 19 96, before me personally appeared
Richard David Vargo

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

State of Ohio)
County of Summit) SS:
On this 26th day of September, 19 96, before me personally appeared
Harlan William Frerking, Jr.

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

State of _____)
_____ of _____) SS:
On this _____ day of _____, 19 _____, before me personally appeared

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

State of _____)
_____ of _____) SS:
On this _____ day of _____, 19 _____, before me personally appeared

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

State of _____)
_____ of _____) SS:
On this _____ day of _____, 19 _____, before me personally appeared

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

State of _____)
_____ of _____) SS:
On this _____ day of _____, 19 _____, before me personally appeared

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

State of _____)
_____ of _____) SS:
On this _____ day of _____, 19 _____, before me personally appeared

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

State of _____)
_____ of _____) SS:
On this _____ day of _____, 19 _____, before me personally appeared

to me personally known, and known to me to be the person(s) who signed the foregoing assignment, and acknowledge the signing of same as his (their) free act and deed.

Notary Public

Signature: Roger Emerson
ROGER D. EMERSON, Attorney-At-Law
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

Signature: Roger Emerson
Notary Public
ROGER D. EMERSON, Attorney-At-Law
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.