



05-19-1999



101040709

TRADEMARK OFFICE

Attorney Docket No. 3029-000067

**COVER SHEET FOR RECORDAL OF DOCUMENT (PATENT)**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 3.31, enclosed herewith is a document for recordal in this case.  
The following information is provided:

(1) **Name Of Party Conveying The Interest:**

Kevin KEATING

*MRD*  
*5-10-99*

(2) **Name And Address Of Party Receiving The Interest:**

Betty McDowell (Aust.) Pty. Ltd.  
17-19 Audrey Avenue  
Coburg, Victoria  
3058, Australia

(3) **Description Of The Transaction To Be Recorded:**

☒ Assignment      ☐ License  
☐ Change of Name      ☐ Other \_\_\_\_\_

(4) **Application(s) and/or Patent(s) Against Which Enclosure Is To Be Recorded:**

☒ Serial Number 09/289,291, filed April 9, 1999 (unofficial).  
☐ Application being filed concurrently herewith.  
☐ Patent Number \_\_\_\_\_, issued \_\_\_\_\_

(5) **Name And Address Of The Party To Whom Correspondence Concerning The Request To Record Should Be Mailed:**

Richard P. Vitek  
Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, MI 48303

05/18/1999 JSHABAZZ 00000111 09289291

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40.00 00

(6) **Number Of Applications and/or Patents Identified In The Cover Sheet And Total Recordal Fee:**

Number of Applications/Patents: . One (1)

Total Recordal Fee Enclosed: . . . \$40.00

(7) **Date(s) The Document Was Executed:** April 20, 1999

To the best of my knowledge and belief, the foregoing information is true and correct, and if the attached is not an original document, the undersigned verifies that it is a true copy of the original.

If, for some reason, Applicants have not paid a sufficient fee, please charge our Deposit Account No. 08-0750 for any further fees which may be due. A duplicate copy of this document is enclosed.

Respectfully submitted,

By: 

Richard P. Vitek  
Reg. No. 31,675  
Attorney for Applicant

Date: May 5, 1999

## ASSIGNMENT

WHEREAS, I/WE (1) Kevin KEATING  
 a Australian citizen, residing at 5 Torrington Place, Canterbury,  
Victoria, 3124, Australia  
 (2) \_\_\_\_\_ citizen, residing at \_\_\_\_\_  
 (3) \_\_\_\_\_ citizen, residing at \_\_\_\_\_

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in "Container systems for floral arrangements", the specification of which:

- (a) ☐ was executed on even date herewith;
- (b) ☒ was filed on 9 April 1999 as ☐ Application No. 09289291 or ☐ Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable); or
- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

AND WHEREAS, BETTY McDOWELL (AUST.) PTY. LTD.  
 with its principal place of business at 17-19 Audrey Avenue, Coburg, Victoria, 3058,  
Australia  
 (hereinafter referred to as Assignee) desires to acquire the entire right, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all renewals and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 20 day of APRIL, 1999

Signature of Kevin KEATING

This \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_

Signature of \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_

Signature of \_\_\_\_\_

Applicant or Inventor: Kevin KEATING Attorney's  
Serial or Patent No.: \_\_\_\_\_ Docket No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: "Container systems for floral arrangements"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "Container systems for floral arrangements" described in

☐ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below:

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME Betty McDowell (Aust.) Pty. Ltd.  
ADDRESS 17-19 Audrey Avenue, Coburg, Victoria, 3058, Australia  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Kevin KEATING	NAME OF INVENTOR	NAME OF INVENTOR
<i>[Signature]</i>	Signature of Inventor	Signature of Inventor
Y 13/4 1999	Date	Date

PATENT  
REEL: 009949 FRAME: 0160

Applicant or Patentee: Kevin KEATING Attorney's  
Serial or Patent No.: \_\_\_\_\_ Docket No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: Container systems for floral arrangements

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(e) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN BETTY McDOWELL (AUST.) PTY LTD  
ADDRESS OF CONCERN 17-19 Audrey Avenue, Coburg, Victoria, 3058,  
Australia

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Container systems for floral arrangements by inventor(s) Kevin KEATING described in

- ☐ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING K KEATING  
TITLE OF PERSON OTHER THAN OWNER MANAGING DIRECTOR  
ADDRESS OF PERSON SIGNING 17-19 Audrey Avenue, Coburg, Victoria, 3058,  
Australia  
SIGNATURE [Signature] DATE 13 April 1999

RECORDED: 05/10/1999

PATENT  
REEL: 009949 FRAME: 0151