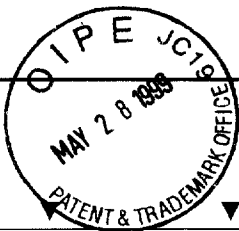


FORM PT 1-1595 (Modified)  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)  
Copyright 1994-97 LegalStar  
P08/REV02



RECC

06-04-1999

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



101055855

Tab settings → → →

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**John J. Merck, Jr.**  
**Richard Conti**  
**Joerg Meissner**  
**Patrick Micozzi**  
*5.28.99*

Additional names(s) of conveying party(ies)  Yes  No

2. Name and address of receiving party(ies):  
Name: INSTRON CORPORATION  
Internal Address: \_\_\_\_\_  
Street Address: 100 Royall Street  
City: Canton State: MA ZIP: 02021

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

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: May 11, 1999

4. Application number(s) or registration numbers(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)  
09/281,449  
06/01/1999 ZABALLA 00000003 09281449  
02 FC:581 40.00 OP

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Barry E. Negrin  
Internal Address: LEVISOHN, LERNER, BERGER & LANGSAM  
Street Address: 757 Third Avenue, Suite 2400  
City: New York State: NY ZIP: 10017

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ 40.00  
 Enclosed - Any excess or insufficiency should be credited or debited to deposit account  
 Authorized to be charged to deposit account

8. Deposit account number:  
02-2105

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.*

Barry E. Negrin *[Signature]* May 24, 1999  
Name of Person Signing Signature Date

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

**ASSIGNMENT OF INVENTION**

**PATENT**

For:  U.S. and/or  Foreign Rights  
For:  U.S. Application or  U.S. Patent  
By:  Inventor(s) or  Present Owner

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNOR (Inventor or person or entity who owns the invention):**

Type or print name(s) of ASSIGNOR(S), Address and Nationality

John J. Merck	Richard Conti	Joerg Meissner	Patrick Micozzi
15 Millbrook Rd.	Seven Spruce Street	9 Westview Rd.	409 Massachusetts Ave.
Medfield, MA 02052	Foxboro, MA 02035	Medfield, MA 02052	Suite 101
			Acton, MA 01720
U.S. citizen	U.S. citizen	German citizen	U.S. citizen

hereby sells, assigns, and transfers to

**ASSIGNEE:**

Type or print name of ASSIGNEE, Address and Nationality

**Instron Corporation**  
100 Royall Street  
Canton, MA 02021

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

the entire right, title and interest  
 an undivided \_\_\_\_\_ percent (\_\_\_\_%) interest for the United States and its territorial possessions

(check the following box if foreign rights are also to be assigned)

and in all foreign countries, including all rights to claim priority,

in and to any and all improvements which are disclosed in the invention entitled:

**HARDNESS TESTER**

Attorney File No.: 822.147

(check and complete (a), (b), (c), (d)) or (e)

and which is found in:

- (a)  U.S. patent application executed on even date herewith.
- (b)  U.S. patent application executed on \_\_\_\_\_.
- (c)  U.S. patent application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
- (d)  U.S. Patent No. \_\_\_\_\_ issued on \_\_\_\_\_.
- (e)  U.S. Provisional patent application filed herewith

A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (f) if foreign application(s) is also being completed)

- (f)  and any legal equivalent thereof in a foreign country, including the right to claim priority.

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce all application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this May 11, 1999  
(Date of Signing)

NOTE: Date of signing must be the same as the date of execution of the application if item (a) was checked above.

[Signature]  
Signature of ASSIGNOR(S) John J. Merck

[Signature]  
Richard Conti

[Signature]  
Joerg Meissner

[Signature]  
Patrick Micozzi

If ASSIGNOR is a legal entity complete the following information:

\_\_\_\_\_  
Type or print name of the above person authorized to sign for ASSIGNOR

\_\_\_\_\_  
Title