

06-15-1999

FILE NO. A31251-071858.0106

REC

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office



MCD 6-11-99

To the Honorable Commissioner of Patents and Trademark

101066079

Documents or copy thereof

1. Name of conveying party(ies): BETA GOLF, INC.

Additional name(s) of conveying party(ies) attached?

☐ Yes☒ No

2. Name and address of receiving party(ies)

Name: HXL TECHNOLOGIES CORPORATION

Address: 300 Sand Hill Road

City: Menlo Park State: CA Zip: 94025

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

☐ Yes☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____

Execution Date: April 26, 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)

09/009,765

B. Patent No.(s)

5,899,818

Additional numbers attached?

☐ Yes☒ No

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

Name: James J. Maune

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

☒ 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)

DO NOT USE THIS SPACE

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.

James J. Maune

Name of Person Signing

Signature

June 9, 1999

Date

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

06/15/1999 DNGUYEN 00000065 09009765

01, FC:581

40.00 DP

A S S I G N M E N T

WHEREAS, BETA GOLF, INC., a corporation organized and existing under the laws of California and having an office for the transaction of business at 3000 Sand Hill Road, Menlo Park, California 94025, is the owner, by assignment of an invention for new and useful improvements in "TEMPERATURE COMPENSATED GOLF CLUB HEAD" as set forth and described in application for Letters Patent of the United States Serial No. 09/009,765, filed January 20, 1998; and

WHEREAS, HXL TECHNOLOGIES CORPORATION, a corporation organized and existing under the laws of California and having an office for the transaction of business at 3000 Sand Hill Road, Menlo Park, California 94025, 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;

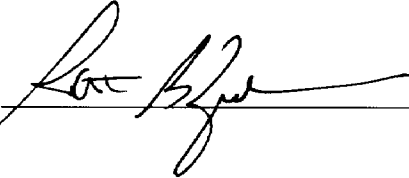
NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that the said BETA GOLF, INC., for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to it in hand paid by said HXL TECHNOLOGIES CORPORATION, and other valuable considerations unto it moving from said HXL TECHNOLOGIES CORPORATION, at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, has sold, assigned, transferred and conveyed and by these presents does sell, assign, transfer and convey unto said HXL TECHNOLOGIES CORPORATION, its successors and assigns, the entire right, title and interest in and to the said invention entitled "TEMPERATURE COMPENSATED GOLF CLUB HEAD" as set forth and described in application for Letters Patent of the United States Serial No. 09/009,765, filed January 20, 1998, 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 under the Paris Convention, 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 granted;

AND the said BETA GOLF, INC., does hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States to said HXL TECHNOLOGIES CORPORATION, as the assignee of the entire right, title and interest in and to the same, for the sole use and behoof of said HXL TECHNOLOGIES CORPORATION, its successors and assigns;

AND the said BETA GOLF, INC., for the considerations aforesaid, does hereby covenant and agree to and with the said HXL TECHNOLOGIES CORPORATION, its successors and assigns, that it has 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 its 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 HXL TECHNOLOGIES CORPORATION, its successors and assigns, may be required or necessary to more effectively secure to and vest in said HXL TECHNOLOGIES CORPORATION, its successors and assigns, the entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, benefits, privileges and advantages hereby sold, assigned, transferred and conveyed, and that it 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, the said BETA GOLF, INC., has caused this instrument to be signed by its duly authorized representative.

BETA GOLF, INC.

By:  _____

STATE OF CALIFORNIA)

: ss:

COUNTY OF)

BE IT KNOWN, that on this ____ day of _____, 1999, before me personally came the duly authorized representative of BETA GOLF, INC., to me known and known to me to be the duly authorized representative of the corporation mentioned in and which executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed, pursuant to authority vested in him by BETA GOLF, INC., for the use and purposes therein mentioned.

Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

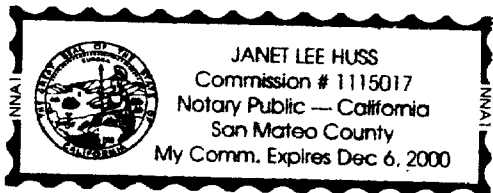
State of CALIFORNIA

County of SAN MATEO

On APRIL 26, 1999 before me, JANET LEE HUSS, NOTARY PUBLIC,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared ROBERT B. ZIDER,
Name(s) of Signer(s)

☐ personally known to me – OR – ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Janet Lee Huss
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: ASSIGNMENT OF US Patent Application No: 09/009,765

Document Date: APRIL 26, 1999 (DATE OF NOTARIZATION) Number of Pages: 2

Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: ROBERT B. ZIDER

- ☐ Individual
☒ Corporate Officer
Title(s): PRESIDENT - BETA GOLF INC.
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

BETA GOLF, INC.

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:
