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10515 U.S. PTO  
09/344628  
06/25/99

To: Honorable Commissioner of Patents and Trademarks:

Please record the attached original document.

1. Names of conveying parties

- a) **J. Jeffrey Richardson**
- b) **Ted D. Wade**

2. Name and address of receiving party:

- a) Name: **Living Systems, Inc.**  
Address: **2102 Jordan Place**  
**Boulder, Colorado 80304**

3. Nature of conveyance

X Assignment

4. This document is being filed together with a new application, the execution date of the application is: **July 29, 1997**. The title of the new application is:

**PORTABLE AEROBIC FITNESS MONITOR FOR WALKING AND RUNNING**

5. Please send all correspondence concerning this document to: **Customer Number 21833**

**Jay R Beyer**  
**Boulder Patent Services**  
**1021 Gapter Road**  
**Boulder, CO 80303-2924**  
**Tel (303) 499-3859**

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): **\$40.00** (Enclosed)

8. 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.

Date: **June 25, 1999**

Jay R Beyer  
Reg. No. 39,907  
Att. Docket No. **LSI-P001D**

07/08/1999 REEL: 010075 09/344628  
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# ASSIGNMENT OF PATENT APPLICATION

(Accompanying Application)

Whereas we the undersigned inventors have invented certain new and useful improvements as set for in the patent application entitled:

## PORTABLE AEROBIC FITNESS MONITOR FOR WALKING AND RUNNING

(Atty. Docket No.: LSI-P001) for which we have executed an application for a United States Letters Patent on the date indicated below.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, We the undersigned inventors hereby: *Jul 2/24/97* *Delaware* *App 7/29/97*

1) Sell, assign and transfer to **Living Systems, Inc.**, a **Colorado** corporation having a place of business at **Boulder Colorado**, (hereinafter referred to as "ASSIGNEE"), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (including foreign patents) granted upon the information which is disclosed in the above referenced application.

2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any division(s), continuation(s), substitutes(s) or reissue(s) thereof to the ASSIGNEE.

3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative and applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.

4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventors, as well as the inventors' heirs, legal representatives and assigns.

5) Warrant and represent that we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date(s) indicated beside our signatures.

1) Signature: *Jeffrey Richardson*  
Typed Name: **J. JEFFREY RICHARDSON**

Date: *7/29/97*

On this *29* day of *July*, in the year 1997, before me, *J. Jeffrey Richardson*, personally appeared **J. JEFFREY RICHARDSON**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Joy L. Langan*

My Commission Expires 5/13/2001  
(SEAL)

2)

Signature: *Ted D. Wade*

Typed Name:

**TED D. WADE**

Date: 7/29/97

On this 29 day of July, in the year 1997, before me,  
Ted D. Wade, personally appeared **TED D. WADE**, personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the  
within instrument, and acknowledged to me that he executed the same in his authorized capacity, and  
that by his signature on the instrument the person, or the entity upon behalf of which the person acted,  
executed the instrument.

WITNESS my hand and official seal.

Signature

*Joy L. Langan*

My Commission Expires 5/13/2001  
(SEAL)