

RECORDATION F
PATENT

08-17-1999

DEPARTMENT OF COMMERCE
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101118878

To the Honorable Commissioner of Patents and Trademarks, please forward the attached original documents or copy thereof.

1. Name of conveying party(ies):

Gary L. Biggs
John J. Nestor, III

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

8-12-99

- Assignment Merger
- Security Agreement Change of Name
- Other _____

Execution Date: Aug. 3, 1999

2. Name and address of receiving party(ies)

The United States of America as
Name: represented by the Secretary of the Navy

Internal Address: Chief of Naval Research
OFFICE OF COUNSEL

(ATTEN: CODE OOCIP)

Street Address: BALLSTON TOWER ONE

800 NORTH QUINCY STREET

City: Arlington State: VA ZIP: 22217-5660

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

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)

Serial No. 09/366,763
Filed: Aug. 4, 1999

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Office of Counsel Code 004

Internal Address: Naval Surface Warfare Center
Carderock Division

Street Address: 9500 MacArthur Boulevard

City: West Bethesda State: MD ZIP: 20817-5700

6. Total number of applications and patents involved:

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

04-0814

(Attach duplicate copy of this page if paying by deposit account)

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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.

John Forrest, Reg. No. 29,378

Name of Person Signing

Signature

8/12/99
Date

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

Mail documents to be recorded with required cover sheet information to:

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

PATENT
REEL: 010160 FRAME: 0525

ASSIGNMENT OF INVENTION

WHEREAS I (we) Gary L. Biggs and John J. Nestor, III both of Silver Spring, Maryland while employed by the Government of the United States of America, hereinafter referred to as the Government, have made an invention entitled CUMULATIVE DAMAGE MODEL FOR STRUCTURAL ANALYSIS OF FILLED POLYMERIC MATERIALS identified as Navy Case No. 78,988 and described in application for Letters Patent of the United States of America as executed by me (us) on Aug. 3, 1999; and

WHEREAS, the conditions under which the invention was made are such as to entitle the Government under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest therein, including foreign rights; and

WHEREAS, the Government desires to obtain the entire right, title and interest in and to the invention disclosed in said application within the United States of America, its territories and possessions and other rights and benefits herein granted; and

WHEREAS, the Government desires an option to obtain the foreign rights in and to the invention;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration the receipt of which is hereby acknowledged, I (we) hereby assign and transfer to the United States of America as represented by the Secretary of the Navy the entire right, title, and interest in and to said invention within the United States of America, its territories and possessions, and the entire right, title, and interest in and to said application and any continuation, division or substitution thereof, and such Letters Patent as may issue therefrom and any reissue or extensions thereof, said invention, application and Letters Patent to be held by the United States of America as represented by the Secretary of the Navy to the end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this assignment not been made.

I (We) do hereby also grant to the Government, the option to take the entire right, title, and interest in and to the invention and all patent applications, patents and other forms of protection thereon in countries foreign to the United States of America within eight months of the filing date of any application for United States Letters Patent covering the invention; such option to be exercised by a written notification to me (us) within such eight months identifying the specific foreign countries in which the Government will file or cause to be filed an application for patent or other form of protection on the invention; and that the rights in the foreign countries not exercised under the option are left to me (us) subject to a nonexclusive, irrevocable, royalty-free license to the Government in any patent or other form of protection which may issue on the invention in any foreign country, including the power to issue sub-licenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government.

I (WE) hereby further agree to make, execute, and deliver to the Government, any and all papers, documents, affidavits, statements or other instruments that may be necessary in the prosecution of the application and any continuation, division or substitution of the application, or any application for reissue or extension of said Letters Patent, and to assist the Government in every way in protecting the invention as may be requested, provided that any expense arising through such efforts will be paid by the Government.

IN TESTIMONY WHEREOF, I (we) have set my (our) hand(s) and affixed my (our) seal(s).

8/3/99
Date _____ Gary L. Biggs Seal
GARY L. BIGGS

8/3/99
Date _____ John J. Nestor, III Seal
JOHN J. NESTOR, III

Date _____ Seal

Date _____ Seal

Date _____ Seal