

MRB
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12-20-1999



Practitioner's Docket No. 30616-10

101227740

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Box: Assignments
Assistant Commissioner for Patents
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NOTE: "Documents and cover sheets to be recorded should be addressed to Assistant Commissioner for Patents, Box Assignments, Washington, D.C. 20231, unless they are filed together with new applications or with a petition under § 3 81(b)." 37 CFR § 3 27

ASSIGNMENT(DOCUMENT) COVER SHEET (37 CFR 3.31)

NOTE: "A cover sheet may not refer to both patents and trademarks." 27 CFR 3.31(b)

Attached please find an assignment (document) for recordal.

CERTIFICATION UNDER 37 CFR 1.8(A) AND 1.10

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional)

I hereby certify that, on the date shown below, the correspondence is being:

MAIL

- deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 CFR (1.8(a))
37 CFR 1.10*
- with sufficient postage as first class mail

as "Express Mail Post Office to Addressee" Label No. (**mandatory**)

TRANSMISSION

- transmitted by facsimile to the Patent and Trademark Office.

Signature
Andrea L. Mays, Reg. No. 43,721
(typed name)

Date: Dec 8, 1999

***WARNING:** Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

2/20/1999 JSHABAZZ 00000082 0934649+

FC:581 (40,000)

**IDENTIFICATION OF APPLICATION(S) AND/OR PATENTS(S)
FOR ASSIGNMENT (DOCUMENT) RECORDAL
(37 CFR 3.21 and 37 CFR 3.31(a)(4))**

NOTE: See 37 CFR 3.21.

Note: § 3.21 does not apply to documents other than assignment. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

1. This assignment is for the following patent applications and/or issued patent:

National application Serial No. 09/346,496, filed on June 30, 1999

Provisional application Serial No. _____, filed on _____

International application PCT/US _____, international filing date _____

Patent No. _____ issued on _____

(Complete if applicable) which was previously assigned and recorded

Date _____ Reel _____; Frame _____

(also complete the following, if applicable)

and also for the applications and/or patents shown on the attached list of FURTHER APPLICATIONS(S) and/or PATENT(S) BEING ASSIGNED

Number of pages added: _____

NOTE: Where there is a listing of properties contained within a document, any listing may be copied and attached to the cover sheet to reduce the amount of typing necessary. A notation of this attachment can be made in lieu of entering every property identification number on the cover sheet. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

TOTAL NUMBER OF APPLICATIONS AND/OR PATENTS AND TOTAL FEE (37 CFR 3.28 (a)(6))

2. A. The total number of applications and/or patents identified in this cover sheet is **one**.

B. The total fee is (37 CFR 1.21(h)):

1 x **\$40.00** = **\$40.00**

(Total number of
Applications and/or
Patents)

C. Payment of fee is made by: The attached check for \$40.00
 Please charge Account 13-4213 A duplicate of
this cover sheet is attached.

Please charge Account 13-4213 for any fee deficiency or credit to account any overpayment.

NAME OF PARTY(IES) CONVEYING INTEREST (37 CFR 3.31(a)(1))

NOTE: "The term 'party' as used in this rule (§ 3.31) means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the documents." Notice of June 24, 1992 (1140 O.G. 63-72, at 65).

3. The party(ies) conveying interest is (are):

Name 1: **HARLIN J. BRISCO**

Name 2: **VICTOR DURAN**

Name 3: **WILLIAM G. MITCHELL**

NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST 37 CFR 3.31(a)(2))

4. The rights are being conveyed to:

Name: **THE BETTER WAY COMPANY, L.L.C.**
Address: P.O. Box 15721
Santa Fe, New Mexico 87506

DESCRIPTION OF INTEREST CONVEYED OR TRANSACTION RECORDED (37 CFR 3.31(a)(3))

5. an assignment a security agreement
 a merger a license
 a change of name a change of address
 other: _____

NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE SHOULD BE MAILED (37 CFR 3.31(a)(5))

6. Please address correspondence to:

ANDREA L. MAYS, Reg. No. 43,721
Post Office Box 26927
Albuquerque, New Mexico 87125-6927
Telephone: (505) 998-1500; direct line: (505) 998-6132

DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 CFR 3.31(a)(7))

7. The attached assignment (document) was executed on **(1) November 22, 1999; (2) November 20, 1999; (3) December 2, 1999.**

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

NOTE: "The Office will accept and record non-English language documents only if accompanied by a verified English translation signed by the individual making the translation." 37 CFR 3.26

8. The attached document:

- is in the English language
 is not in the English language and a verified English translation signed by the individual making the translation is attached.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

NOTE: See 37 CFR 3.24

9. Submitted herewith is:

- the original document
 a true copy of the original document, which I certify to be a true copy.

NOTE: "If the original [assignment] document is two-sided or the wrong size, the practitioner can comply with the requirement [set out in 37 CFR § 3.24] by providing a true copy of the or original document using only one side of each page on the correct size paper." Notice of June 24, 1992, 1140 O.G. 63-76, at 67.

NOTE: "Certification shall be made by the person submitting a copy of an original document that the document submitted is a true copy of the original. The certification is not required to be in an oath or declaration form." MPEP, 6th ed. § 302.01.

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF ADDRESS

(check item, if applicable)

10. Because the purpose of the attached documents is to record a change of address of the assignee, the particulars of the previously recorded assignment(s) for each application and/or patent are shown.

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF NAME

(check item, if applicable)

11. Because the purpose of the attached document is to record a change of name of the assignee, the particulars of the previously recorded assignment(s) for each application and/or patent are shown.

CHANGE OF PATENT MAINTENANCE FEE ADDRESS

(check item, if applicable)

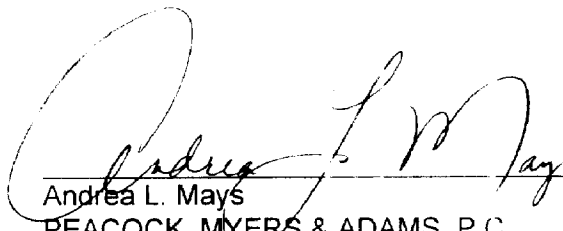
12. A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent to the Office separately.

STATEMENT (37 CFR 3.31(a)(9)) AND SIGNATURE (37 CFR 3.31(a)(10))

13. 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.

NOTE: "The term 'party' as used in this rule [§ 4.41] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where the corporation's name appears on the document." Notice of June 24, 1992, 1140 O G. 63-76, at 65.

Date: 12/2/99



Andrea L. Mays
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Telephone: (505) 998-1500

Customer No. 005179

TOTAL NUMBER OF PAGES BEING SUBMITTED

14. The total number of pages being submitted, **including cover sheet attachment(s), and documents** are: **10.**

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ASSIGNMENT OF INVENTION AND PATENT RIGHTS

Inventor(s): HARLIN J. BRISCO
VICTOR DURAN
WILLIAM G. MITCHELL

Serial No. 09/346,496

Filing Date: June 30, 1999

For valuable consideration received or to be received, and hereby acknowledged, Harlin J. Brisco of P.O. Box 786, Questa, New Mexico 87556; Victor Duran of 18 Calle Lisa, Santa Fe, New Mexico; and William G. Mitchell of P.O. Box 2506, Moriarty, New Mexico 87035 (hereinafter referred to as "Inventors"), hereby sell, assign and transfer unto The Better Way Company, L.L.C., of P.O. Box 15721, Santa Fe, New Mexico 87506 its successors and assigns (hereinafter referred to as "Assignee"), the entire interest for the United States of America and all foreign countries, including all rights of priority under the international conventions and treaties, in and to a certain invention or improvement known as *FLOW VALVE*, and described in an application filed in the United States Patent and Trademark Office on June 30, 1999, and given U.S. Patent Application Serial No. 09/346,496, which claims priority to U.S. provisional patent application serial number 60/100,334, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or on any provisional, utility, divisional, continuing, reissue, reexamination or other applications based in whole or in part thereon. And Inventors agree hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper in Assignee's sole discretion to secure to Assignee the grant of Letters Patent in the United States

and/or in other countries as Assignee may determine in its sole discretion, with specifications and claims in such form as shall be approved by Assignee's counsel, and to vest and confirm in Assignee the legal and equitable title and full use and benefit of all such patents.

Inventors further agree with Assignee that this Assignment covers all processes, specifications, procedures, techniques, applications of the technology, and other knowledge and information now or hereafter known to Inventors which are not in the public domain and which relate to the above-mentioned invention or improvement, its manufacture, uses or embodiments, or other matters (the "Related Know-How"). Inventors agree to disclose or provide all Related Know-How to Assignee when discovered or upon request.


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

Inventors' rights in the above-mentioned invention or improvement and Related Know-How and any patent application(s) and Letters Patent thereon have not been previously assigned, mortgaged or otherwise encumbered, and Inventors have full right, power and authority to assign all such rights to Assignee hereunder.

As used herein, the terms "Inventors" and "Assignee" shall include such parties and their heirs, administrators, estates, successors and assigns of every kind.

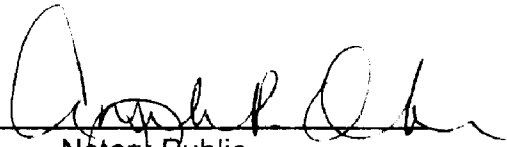
Inventors hereby authorize and request the Commissioner of Patents and Trademarks of the United States, and all foreign countries' equivalent officials to issue such Letters Patent as shall be granted on said application or applications based thereon to Assignee.

DATED this 22 day of November, 1999.

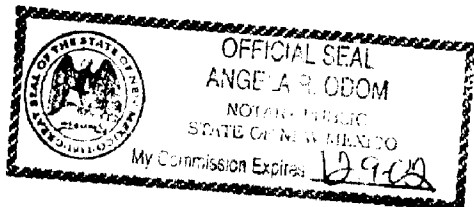

Harlin J. Brisco

STATE OF NEW MEXICO)
) ss.
COUNTY OF Chaves)

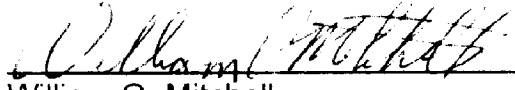
This instrument was acknowledged before me this 22 day of November, 1999, by Harlin J. Brisco.


Notary Public

My commission expires:
12 9 2002



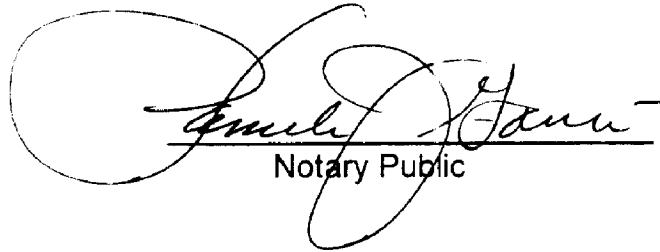
DATED this 2nd day of December, 1999.



William G. Mitchell

STATE OF NEW MEXICO)
) ss.
COUNTY OF Santa Fe)

This instrument was acknowledged before me this 2nd day of December, 1999, by William G. Mitchell.



Notary Public

My commission expires:
12/15/2002

File: 30616-1001
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