

MMD 4.27.00 RECORD

05-09-2000

Atty Ref/Docket No.: 303.614US1



101350734

To the Honorable Commissioner of Patents and Trademarks: Please

1. Name of conveying party(ies)

Matthew R. Harrington, Van C. Huynh

2. Name and address of receiving party(ies):

Name: Micron Technology, Inc.

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

Street Address: 8000 South Federal Way

3. Nature of conveyance:

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

City: Boise State: ID ZIP: 83716-9632

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

Execution Date: September 27, 1999; November 22, 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)

B. Patent No.(s)

Serial No. 09/388,566, filed September 2, 1999

Additional numbers attached? []Yes [X]No

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

Name: Daniel J. Kluth

Address: Schwegman, Lundberg, Woessner & Kluth, P.A.
P.O. Box 2938
Minneapolis, MN 55402

6. Total number of applications and patents involved: 1

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

- Enclosed
- Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our
Deposit account number: 19-0743

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.

Daniel J. Kluth/Reg. No. 32,146
Name of Person Signing

Daniel J. Kluth
Signature

April 24, 2000
Date

Total number of pages including cover sheet: 7

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

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

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

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of information systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

ASSIGNMENT

WHEREAS, WE, Matthew R. Harrington, residing at 4212 Oak Mount Drive, Carrollton, TX 75010, and Van C. Huynh, residing at 601 W. Renner Road #223, Richardson, TX 75080, and Adin E. Hyslop, residing at 500 W. Renner Road, Richardson, TX 75080, made certain new and useful inventions and improvements for which We executed an application for Letters Patent of the United States on Even Date Herewith, which is entitled MEMORY DEVICE TESTER AND METHOD THEREFOR.

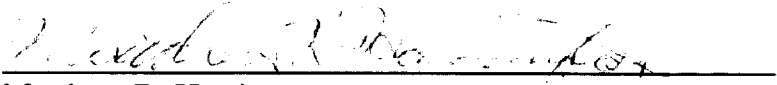
AND WHEREAS, Micron Technology, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 8000 South Federal Way, Boise, ID 83716-9632, (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor:

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27 day of September, 1999.

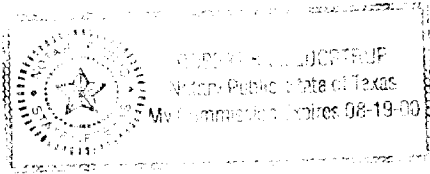


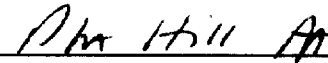
Matthew R. Harrington

STATE OF Tx)
)ss.
COUNTY OF Dallas)

On this 27 day of September, 1999 before me personally appeared Matthew R. Harrington to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]





Notary Public

ASSIGNMENT

WHEREAS, WE, Matthew R. Harrington, residing at 4212 Oak Mount Drive, Carrollton, TX 75010, and Van C. Huynh, residing at 601 W. Renner Road #223, Richardson, TX 75080, and Adin E. Hyslop, residing at 500 W. Renner Road, Richardson, TX 75080, made certain new and useful inventions and improvements for which We filed an application for Letters Patent of the United States on September 2, 1999, which application was assigned U.S. patent application serial number 09/388,566, and is entitled MEMORY DEVICE TESTER AND METHOD THEREFOR

AND WHEREAS, Micron Technology, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 8000 South Federal Way, Boise, ID 83716-9632, (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

Mail sent to his home address, as shown herein, has not been returned to our offices. Multiple attempts by our offices to contact him before and after the filing of the above-application, as reflected in the attached affidavit of Kelly J. Shilo, have resulted in no response. Despite the best efforts of this office, the documents have not been returned.

Applicants submit that the foregoing facts establish a *bona fide* attempt to comply with the provisions of Rule 47, and accordingly request that Applicants' Petition is granted.

Respectfully submitted,

MATTHEW R. HARRINGTON ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6904

Date April 24, 2000 By Daniel J. Kluth
Daniel J. Kluth
Reg. No. 32,146

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on April 24, 2000.

Daniel J. Kluth
Name

Daniel J. Kluth
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Matthew R. Harrington et al. Examiner: Unknown
Serial No.: 09/388,566 Group Art Unit: 2782
Filed: September 2, 1999 Docket: 303.614US1
Title: **MEMORY DEVICE TESTER AND METHOD THEREFOR**

AFFIDAVIT OF KELLY J. SHILO

Assistant Commissioner for Patents
Washington, D.C. 20231

I, Kelly J. Shilo, state as follows:

1. I was a Case Management Assistant employed by the law firm of Schwegman, Lundberg, Woessner & Kluth, P.A., 1600 TCF Tower, 121 South Eighth Street, Minneapolis, Minnesota 55402 (mailing address P. O. Box 2938, Minneapolis, Minnesota 55402), during the entire course of the events outlined herewith, and have first hand knowledge of the events as they transpired.

2. Schwegman, Lundberg, Woessner & Kluth, P.A. represents Micron Technology, Inc., an assignee and an owner of the above-identified application.

3. As part of regular office procedures in preparation of the response to Notice of Missing Parts, as mailed by the U.S. Patent and Trademark Office on September 22, 1999, I prepared a Declaration for Patent Application and an Assignment for inventors' signatures. Information from our client, Micron Technology, Inc., the Assignee in this application as evidenced by the enclosed Assignments signed and notarized by the remaining two applicants, had indicated that co-inventor Adin Hyslop was no longer an employee of Micron, and that Mr. Hyslop had provided Micron Technology, Inc. with his forwarding address. A letter, signed by Susan A. Johnson, Sr. Paralegal, was sent to each inventor on August 19, 1999, enclosing a final draft of the application and the formal documents, requesting that these be signed and returned to us as soon as possible. Attached hereto as Exhibit A is a copy of that letter to Mr. Hyslop.

4. As part of regular office procedures where formal documents were not filed with the application, a Declaration and an Assignment were prepared upon receipt of the serial number from the U.S. Patent and Trademark Office, and sent to all inventors for signature and return. On October 6, 1999, such a package was prepared and sent to Adin E. Hyslop. A copy of the cover letter, signed by me on behalf of Jason Anderson, and mailed via Certified Mail, is

enclosed herewith as Exhibit B, with a copy of the Certified Mail receipt and return postcard. It is noted that, while Return Receipt Showing to Whom & Date Delivered was indicated on the receipt, no signature was returned from the Post Office.

5. Due to Mr. Hyslop's lack of response, I prepared a new a copy of the application and formal documents on November 9, 1999, and sent them via Certified Mail on that same date. Attached hereto as Exhibit C is a copy of the Receipt for Certified Mail and return post card from same, indicating that a "Rob Preston" had signed for the package.


6. On November 19, 1999, I attempted to contact Mr. Hyslop by telephone at his home telephone number and his last known work number. I left a message on Mr. Hyslop's home telephone's answering machine and attempted to ascertain his whereabouts via his last known work number to no avail.

7. Adin Hyslop has not returned nor responded to any of our requests.

FURTHER YOUR AFFIANT SAITH NOT.

April 24, 2000

Date


Kelly J. Shio

Signed and sworn to before me on this 24th day of April, 2000.



Notary Public

(stamp)



1600 TCF Tower
121 South Eighth Street
Minneapolis, Minnesota 55402

Telephone 612•373•6900

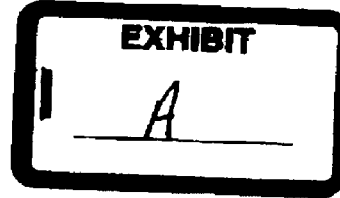
Facsimile 612•339•3061

Dana B. LeMoine (480) 905-0648 - Direct Dial

Susan A. Johnson (612) 373-6907 - Direct Dial

August 19, 1999

Adin Hyslop
500 W. Renner Road
Richardson, TX 75080



Re: Docket # 303.614US1 - **Micron Ref. No. 99-0231**
Title: **MEMORY DEVICE TESTER AND METHOD THEREFOR**

Dear Mr. Huynh:

Enclosed for your review is a final draft of the above-identified patent application. Please review it carefully and, if it meets with your approval, sign and date the enclosed Declaration and Assignment forms. Please note the Assignment should also be notarized.

If you have any additional questions or comments, please contact Dana LeMoine at the above telephone number. We are also sending copies and formal documents to the other two inventors under separate cover.

Very truly yours,

A handwritten signature in cursive script that reads "Susan A. Johnson".

Susan A. Johnson
Sr. Paralegal

SAJ
Enclosures

cc: Michael I. Lynch, Esq. (w/app.)
Ms. Monica Kesling (w/app.)

Patent Protection
for High Tech

1600 TCF Tower
121 South Eighth Street
Minneapolis, Minnesota 55402

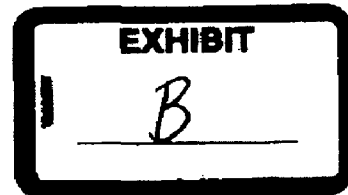
October 6, 1999

Telephone 612*373*6900

Facsimile 612*339*3061

Adin E. Hyslop
601 W. Renner Road #223
Richardson, TX 75080

Mr. Van C. Huynh
500 W. Renner Road
Richardson, TX 75080



Re: Docket # 303.614US1 - **Micron Ref. No. 99-0231**
U.S. Patent Application Serial Number: 09/388,566
Title: **MEMORY DEVICE TESTER AND METHOD THEREFOR**

Dear Inventors:

Enclosed is a Declaration document that must be executed to complete the filing requirements for the above-referenced patent application. Please review the enclosed copy of the application as filed and sign and date the document where indicated.

We have also enclosed an Assignment document to be executed by you. Please note that you must sign and date the Assignment document in the presence of a Notary Public.

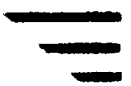
Please return the original set of executed documents to my attention by **November 8, 1999**. If you have any questions regarding this matter, please contact Daniel J. Kluth at (612) 373-6904.

Very truly yours,

For Jason A. Anderson
Case Management Assistant

Enclosures

Patent Protection
for High Technology



SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
ATTORNEYS AT LAW

1600 TCF Tower
121 South Eighth Street
Minneapolis, Minnesota 55402

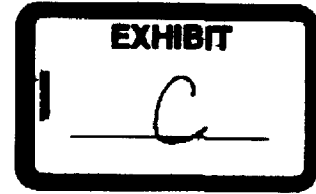
November 9, 1999

Telephone 612•373•6900

Facsimile 612•339•3061

Adin E. Hyslop
601 W. Renner Road #223
Richardson, TX 75080

Mr. Van C. Huynh
500 W. Renner Road
Richardson, TX 75080



Re Docket # 303.614US1 - **Micron Ref. No. 99-0231**
U.S. Patent Application Serial Number: 09/388,566
Title: **MEMORY DEVICE TESTER AND METHOD THEREFOR**

Dear Inventors:

Enclosed is a Declaration document that must be executed to complete the filing requirements for the above-referenced patent application. Please review the enclosed copy of the application as filed and sign and date the document where indicated.

We have also enclosed an Assignment document to be executed by you. Please note that you must sign and date the Assignment document in the presence of a Notary Public.

Please return the original set of executed documents to my attention by **November 15, 1999**. If you have any questions regarding this matter, please contact Daniel J. Kluth at (612) 373-6904.

Very truly yours,

Copy
Kelly J. Shilo
Case Management Assistant

Enclosures

Patent Protection
for High Tech