

06-07-2000

Attorney Docket No.: 3836-4

U.S. Department of Commerce  
Patent and Trademark Office

ET



101375342

To the Honorable Commissioner of Patents and Trademarks.  
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

David V. Durand

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

☐ Yes ☒ No

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

PROBALANCE

S60 W24200 Red Wing Drive  
Waukesha, WI 53186 USA

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

☐ Yes ☒ No

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Dates: May 9, 2000

MRD 5/19/00

4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of the application is \_\_\_\_\_

A. Patent Application No(s).

B. Patent No(s). 6,039,355

Additional numbers attached? ☐ Yes ☒ No

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

JOSEPH D. KUBORN  
ANDRUS, SCEALES, STARKE & SAWALL, LLP  
100 East Wisconsin Avenue, Suite 1100  
Milwaukee, WI 53202

6. Total number of applications and  
patents involved: 1

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

- ☒ Enclosed  
☐ Authorized to charge Deposit  
Account

8. Deposit Account No. 01.2000  
(Attach duplicate copy of this page  
if paying by Deposit Account)

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.

Veronica K. Haupt

Name of Person Signing

*Veronica K. Haupt*

Signature

5-16-2000

Date

Total number of pages including cover sheet, attachments and document: 5

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

06/06/2000 JSHABAZZ 00000120 6039355

01 FC:581

40.00 DP

## ASSIGNMENT

ASSIGNMENT made by **DAVID V. DURAND**, of S60 W24200 Red Wing Drive, City of Waukesha, State of Wisconsin 53186, USA, to **PROBALANCE**, a corporation organized under the laws of the State of Wisconsin, and located and doing business at S60 W24200 Red Wing Drive, Waukesha, Wisconsin 53186, USA

IN CONSIDERATION of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, said **DAVID V. DURAND** hereby sells, assigns and transfers to said **PROBALANCE**, its successors and assigns, the entire right, title and interest in:

### **DAILY PLANNING CALENDAR**

**U.S. Patent No. 6,039,355**

**Issued on March 21, 2000**

and the invention therein, and in and to said application and any divisions or continuations thereof, and any Letters Patent obtained for the said invention in foreign countries, or issuing out of said application or any such division or continuation thereof, and any reissues or extensions of any such Letters Patent.

And, the said **DAVID V. DURAND** hereby covenants that he has full right to convey the entire right, title and interest in said invention, and that he has not executed and will not execute any agreement in conflict herewith.

And he further covenants that he will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title in said **PROBALANCE**, to said invention or any Letters Patent that may be granted therefor, and if said **PROBALANCE**, or its assignee, desire to make a substitute, divisional or continuation application for said invention, or to secure a reissue or extension of said Letters Patent, to file a disclaimer relating thereto, or an application for a corresponding patent in any foreign country, that he will upon request, sign all papers, make all rightful oaths, and do all lawful acts requisite for the said purposes, but at the expense of said **PROBALANCE**.

**DAVID V. DURAND** further hereby acknowledges that the entire beneficial interest in the invention to which the above application relates is irrevocably vested in the assignee including the right to make application for protection in all countries abroad and to claim priority under the International Convention for such applications and hereby assents to the

making of any such applications, with or without priority claim, and of any divisional application resulting therefrom.

And, he further covenants that he will at all times communicate to the said **PROBALANCE**, its successors, assigns or legal representatives, all facts relating to said invention and Letters Patent, or the history thereof, known to him, and testify as the same in interferences or other litigation, when requested so to do.


Executed and delivered this 9 day of May, 2000.

Inventor   
DAVID V. DURAND

State of Wisconsin)  
) :ss  
County of Waukesha)

Personally appeared before me this 9th day of May, 2000,  
DAVID V. DURAND, to me known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

(SEAL)

  
Notary Public  
My Commission expires 12-02-01

0001/PTO  
Rev. 10/95U.S. Department of Commerce  
Patent and Trademark Office

Patent Number	6,039,355
Issue Date	March 21, 2000
First Named Inventor	David V. Durand
Group Art Unit	3722
Examiner Name	

**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of pages in this Submission

5

Attorney Docket Number

3836-4

**ENCLOSURES** (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment/Response
- ☐ After final
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement/PTO-1449
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts Under 37 1.52 or 1.53

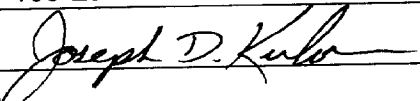
- ☒ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Checklist and Accompanying Petition
- ☐ To Convert a Provisional Application
- ☐ Power of Attorney, Revocation, Change of Correspondence Address
- ☐ Terminal Disclaimer

- ☐ After Allowance Communication To Group
- ☐ Appeal Communication to Board Of Appeals and Interferences
- ☐ Appeal Communication to Group ( Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (Please identify below)

Return receipt postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Or Individual Name	Joseph D. Kuborn ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 East Wisconsin Avenue, Suite 1100, Milwaukee, WI 53202
Signature	
Date	05/16/00

**CERTIFICATE OF MAILING**

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 for Patents, Washington, DC 20231 on this date:

05/16/00


Typed or printed name Veronica K. Haupt

Signature



Date 05/16/00

<b>FEE TRANSMITTAL</b>		<b>COMPLETE IF KNOWN</b>																																																																																																																																																																																																	
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1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">01.2000</span> Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Andrus, Scales, Starke &amp; Sawall, LLP</span> <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing Of the Notice of Allowance, 37 CFR 1.311(b)				2. <b>Additional Fees</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge-late filing fee or 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Examiner action	_____	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____	115	110	215	55	Extension for response within first month	_____	116	400	216	200	Extension for response within second month	_____	117	950	217	475	Extension for response within third month	_____	118	1,510	218	755	Extension for response within fourth month	_____	128	2,060	228	1,030	Extension for response within fifth month	_____	119	310	219	155	Notice of appeal	_____	120	310	220	155	Filing a brief in support of an appeal	_____	121	270	221	135	Request for oral hearing	_____	138	1,510	138	1,510	Petition to institute a public use proceeding	_____	140	110	240	55	Petition to revive unavoidably abandoned application	_____	141	1,320	241	660	Petition to revive unintentionally abandoned application	_____	142	1,320	242	660	Utility issue fee (or reissue)	_____	143	450	243	225	Design issue fee	_____	144	670	244	335	Plant issue fee	_____	122	130	122	130	Petitions to the Commissioner	_____	123	50	123	50	Petitions related to provisional applications	_____	126	240	126	240	Submission of Information Disclosure Statement	_____	581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00	146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	_____	149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	_____					Other fee (specify) _____						Other fee (specify) _____		SUBTOTAL (1)				(\$ 0.00)		3. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other			
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103	22	203	11	Claims in excess of 20																																																																																																																																																																																															
102	82	202	41	Independent claims in excess of 3																																																																																																																																																																																															
104	270	204	135	Multiple dependent claim																																																																																																																																																																																															
109	82	209	41	Reissue independent claims over original patent																																																																																																																																																																																															
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<b>SUBMITTED BY</b>		<b>COMPLETE (if applicable)</b>	
Type or Printed name	Joseph D. Kuborn Andrus, Scales, Starke & Sawall, LLP	Registration Number	40,689
Signature		Date	05/16/00
		Deposit Account User ID	