

Re

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06-22-2000



EET

To the Commissioner of Patents and Tr

101387254

original documents or copies thereof.

1. Name of conveying party(ies): *RECEIVED JUN 23 PM 3:39*
David A. HOUK
Kenneth W. HULL
John VURA

OPR/FINANCE
MAD
6-2-00

Additional conveying party(ies) **NO**

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

Rubbermaid Incorporated
1147 Akron Road
Wooster, Ohio 44691

Additional name(s) & address(es) attached? **NO**

3. Nature of conveyance:
ASSIGNMENT

Execution Date:
May 26, 1998, May 21, 1998 and
May 21, 1998, respectively

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

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):
09/518,151

B. Patent Number(s):

Additional numbers attached? **NO**

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

John C. Cooper III
FOLEY & LARDNER
Firststar Center
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367

6. Total number of applications/patents involved: **1**

7. Total fee (37 C.F.R. § 3.41): **\$40.00**

Check Enclosed
 (previously paid with check no. 477044)

Charge to deposit account

8. Deposit account number: **06-1447**

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. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

John C. Cooper III

John C Cooper III June 16, 2000

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **4**

Assignment recordation was included when the Continuation Application (U.S. Serial No. 09/518,151) was filed on March 2, 2000.

This Response is intended to be fully responsive to the Notice of Non-Recordation of Document.

The Examiner is invited to telephone the undersigned at (414) 297-5740 to discuss any issues with regard to this Reply.

Respectfully submitted,

Date June 16, 2000

FOLEY & LARDNER
Firststar Center
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367
Telephone: (414) 297-5774
Facsimile: (414) 297-4900

By John C. Cooper III

John C. Cooper III
Attorney for Applicant
Registration No. 26,416

ASSIGNMENT

Rubbermaid Incorporated
File No. 1468

We, DAVID A. HOUK, JR., KENNETH W. HULL and JOHN VURA, who reside respectively at 3915 Jean Lane, Norton, Ohio 44203; 334 Ihrig Avenue, Wooster, Ohio 44691; and 3387 Tamarack Lane, Wooster, Ohio 44691, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled

SHELVING SYSTEM

which application was executed by us on May 26, 1998 and is identified by 1468 file number and

Rubbermaid Incorporated, whose address is 1147 Akron Road, Wooster, Ohio 44691, and which together with its successors and assigns is hereinafter called "Assignee", is desirous of acquiring the title, rights, benefits and privileges hereinafter recited, and of confirming the same or any part thereof heretofore acquired by Assignee.

Now, therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:


1. Assign and convey to and confirm in Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;

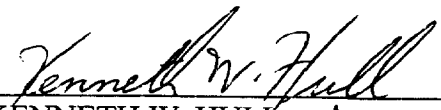
5. Bind our heirs and legal representatives, as well as ourselves, to do, upon Assignee's request and at its expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us or our heirs or representatives if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs or legal representatives and which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

The effective date of this instrument is the 26th day of May, 1998.

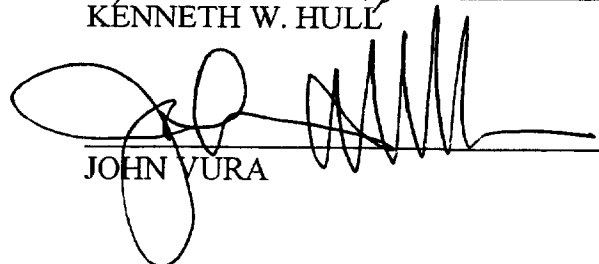
In testimony whereof, we have affixed our signatures.



DAVID A. HOUK, JR.



KENNETH W. HULL



JOHN VURA

State of Ohio)
) SS:
County of Wayne)

On this 20th day of May, 1998, before me appeared DAVID A. HOUK, JR., to me known and known to me to be the person described in and who executed the foregoing instrument and he acknowledged the same to be his free act and deed.

Stacy J. Sidle
Notary Public

STACY J. SIDLE
Notary Public, State of Ohio
My Commission Expires 8-24-2002

State of Ohio)
) SS:
County of Wayne)

On this 21st day of May, 1998, before me appeared KENNETH W. HULL to me known and known to me to be the person described in and who executed the foregoing instrument and he acknowledged the same to be his free act and deed.

Stacy J. Sidle
Notary Public

STACY J. SIDLE
Notary Public, State of Ohio
My Commission Expires 8-24-2002

State of Ohio)
) SS:
County of Wayne)

On this 21st day of May, 1998, before me appeared JOHN VURA to me known and known to me to be the person described in and who executed the foregoing instrument and he acknowledged the same to be his free act and deed.

Stacy J. Sidle
Notary Public

STACY J. SIDLE
Notary Public, State of Ohio
My Commission Expires 8-24-2002