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06-27-2000

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
le No. 1298/OF379



To the Honorable Commissioner of Patents and Trademarks

101390201

Documents or copy thereof.

1. Name of conveying party(ies): **6.7.00**
Thaddeus John Gabara; Scott Wayne McLellan
David L. Smith

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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: 05/25/2000; 05/18/2000; and 05/18/2000

2. Name and address of receiving party(ies):
Name: **LUCENT TECHNOLOGIES INC.**

Street Address: **600 MOUNTAIN AVENUE**
P.O. BOX 636

City: **MURRAY HILL** State: **NEW JERSEY** Zip: **07974**

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

1050 U.S. PTO
09/589391
66707700

4. Application number(s) or patent number(s): **09/589391**

If this document is being filed together with a new application, the execution date of the application is: 05/25/200; 05/18/2000; and 05/18/2000

EXPRESS MAIL CERTIFICATE

Date: **6/7/00** Label No. **628220731**

I hereby certify that, on the date indicated above I have deposited this paper or fee with the U.S. Postal Service & that it was addressed for delivery to the Commissioner of Patents & Trademarks, Washington, D.C. 20231 by "Express Mail Post Office to Addressee" service.

D B Beck
Name (Print) Signature

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: **Darby & Darby P.C.**
Internal Address: **MELVIN C. GARNER, ESQ.**
Street Address: **805 Third Avenue, 27th Floor**
City: **New York** State: **New York** Zip: **10022-7513**

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

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

Enclosed
 Authorized to be charged to Lucent Technologies Inc. deposit account

8. Deposit account number:

12-2325

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

06/26/2000 ASCOT: 00000110 122325 09589391

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.

Alphonso A. Collins, Reg. No. 43,559
Name of Person Signing

Alphonso A. Collins
Signature

June 7, 2000
Date

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

5

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

PATENT
REEL: 010870 FRAME: 0522

ASSIGNMENT AND AGREEMENT

For value received, we, **Thaddeus John Gabara**, of **Murray Hill** in the County of **Union** and the State of **New Jersey**; **Scott Wayne McLellan** of **Albany Township** in the County of **Berks** and State of **Pennsylvania**; and **David L. Smith** of **Hummelstown** in the County of **Dauphin** and State of **Pennsylvania**, hereby sell, assign and transfer to Lucent Technologies Inc., a corporation of the State of Delaware, having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974-0636, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **ADJUSTMENT OF A HEARING AID USING A PHONE** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Lucent Technologies Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including any Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Lucent Technologies Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Lucent Technologies Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Lucent Technologies Inc. in the United States and in all countries foreign to the United States, or to such nominees as Lucent Technologies Inc. may designate.

We agree that, when requested, we shall, without charge to Lucent Technologies Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.



Thaddeus John Gabara

Date: 5/25/00

United States of America)

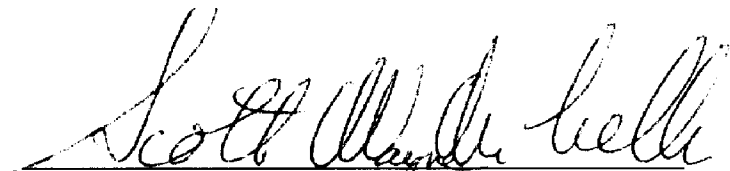
State of New Jersey) ss.:

County of)
City of Union)

On this 25th day of May, 2000, before me personally came **Thaddeus John Gabara**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.


Notary Public

SHEILA R. COLE
A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 10/18/2000


Scott Wayne McLellan

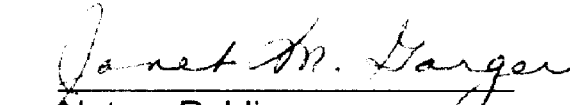
Date: 18 May 00

United States of America)

State of Pennsylvania) ss.:

County of Lehigh)

On this 18th day of May, 2000, before me personally came **Scott Wayne McLellan**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.


Notary Public

Notarial Seal
Janet M. Garger, Notary Public
Allentown, Lehigh County
My Commission Expires Dec. 28, 2000
Member, Pennsylvania Association of Notaries

David L. Smith
David L. Smith

Date: 5/18/00

United States of America)
State of Pennsylvania) ss.:
County of Lehigh)

On this 18th day of May, 2000, before me personally came **David L. Smith**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Doreen Micheletti
Notary Public

NOTARIAL SEAL
DOREEN M. MICHELETTI, Notary Public
Breinigsville, Lehigh County
My Commission Expires Oct. 30, 2000

Lucent Technologies Inc.
600 Mountain Avenue (Room 3C-512)
P. O. Box 636
Murray Hill, New Jersey 07974-0636

MA129810F379: SJW1041 W.D.