

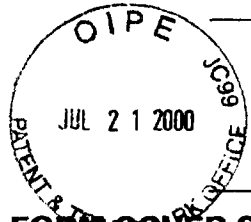
FORM PTO-1619A

Expires 08/30/99

08-11-2000



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U.S. Department of Commerce
Patent and Trademark Office
PATENT**ORDINATION FORM COVER SHEET
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks. Remarks: Please record the attached original document(s) or copy(ies).

Submission Type **7-21-00**

Conveyance Type

- ☒ **New**
- ☐ **Resubmission (Non-Recordation)**
Document ID#
- ☐ **Correction of PTO Error**
Reel # Frame #
- ☐ **Corrective Document**
Reel # Frame #

- ☒ **Assignment** ☐ **Security Agreement**
- ☐ **License** ☐ **Change of Name**
- ☐ **Merger** ☐ **Other**
- U.S. Government**
(For Use ONLY by U.S. Government Agencies)
- ☐ **Departmental File** ☐ **Secret File**

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached
 Execution Date
 Month Day Year
 06132000

Name (line 1) DUTCHBURN, Leslie G., deceased by Ann Dutchburn,

Name (line 2) Executrix

Second Party

Name (line 1)

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Develpro Incorporated

Name (line 2)

Address (line 1) 75 York Mills Road, Suite 201

Address (line 2) Toronto

Address (line 3) Ontario

CANADA

M2P 2E7

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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Mail documents to be recorded with required cover sheet(s) information to:
 Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231
PATENT

REEL: 010977 FRAME: 0486

Correspondent Name and Address

Area Code and Telephone Number **703-684-5600**

Name **Terrence L.B. Brown, Esquire**

Address (line 1) **SHLESINGER, ARKWRIGHT & GARVEY LLP**

Address (line 2) **3000 South Eads Street**

Address (line 3) **Arlington, Virginia 22202**

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

9

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

			5816949		

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **\$40.00**

Method of Payment:
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

19-2105

Authorization to charge additional fees:

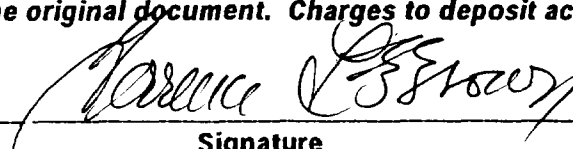
Yes ☒ No ☐

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. Charges to deposit account are authorized, as indicated herein.

Terrence L.B. Brown

Name of Person Signing



Signature

07/21/00

Date

STATEMENT OF SUBSCRIBING WITNESS

I, CATHERINE DESBRISAY, whose full post office address is 9 DE VERE GARDENS,

TORONTO, ONTARIO, state as follows:
CANADA M5M 3E4

THAT I was personally present and did see ANN DUTCHBURN, who is
personally known to me to be the person named in the attached assignment, duly sign and execute
the same.

SWORN BEFORE ME in the City of)
Toronto, Province of Ontario,)
Canada, this 13th day of)
JUNE, 2000)

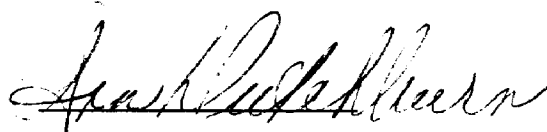
Meghan DesBrisay)
Notary Public)

Catherine DesBrisay)
~~Ann Dutchburn~~ CATHERINE DESBRISAY)
~~Executrix for the Estate Of The Late~~)
~~Leslie G. Dutchburn~~)

ASSIGNMENT - UNITED STATES

I, Ann Dutchburn, as Executrix for the estate of the late Leslie G. Dutchburn, whose full post office address is ~~7 De Vere Gardens~~ ^{90 75 YORK MILLS RD., SUITE 201 M2P 2E7}, Toronto, Ontario ~~M5M 3E4~~, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby sell and assign to Develpro Incorporated, whose full post office address is ~~7 De Vere Gardens~~ ^{90 75 YORK MILLS RD., SUITE 201 M2P 2E7}, Toronto, Ontario ~~M5M 3E4~~, all interest of the estate of the late Leslie G. Dutchburn in the United States of America in and to the invention relating to HOCKEY STICK, as fully described and claimed in my application for patent for such invention filed in the United States on October 8, 1993, under Application Serial No. 133,294, and all my corresponding right, title and interest in and to any patents which may issue therefor.

DATED AT TORONTO, ONT. CANADA, this 13th day of JUNE, 2000.



Ann Dutchburn

Executrix for the Estate of The Late

Leslie G. Dutchburn

PROOF OF DEATH CERTIFICATION

Name Leslie George Dutchburn
Residence 7 DeVere Gardens, Toronto, Ontario M5M 3E4
Date and Place of Birth May 3, 1926. at Paris, Ontario
Date and Place of Death December 27, 1999 at Toronto, Ontario
Arrangements By Kathryn Anne Dutchburn
Address 7 DeVere Gardens, Toronto, Ontario M5M 3E4
Telephone No. 416-481-7703
Relationship Wife
Cremation St. James Crematorium

NORTH YORK FUNERAL CENTRE

(administered by Basic Funeral Alternatives Inc.)

6026 Yonge Street, North York, Ontario M2M 3W5
(416) 226-2480

DATED December 27, 1999.

per



NOTARIAL CERTIFICATE

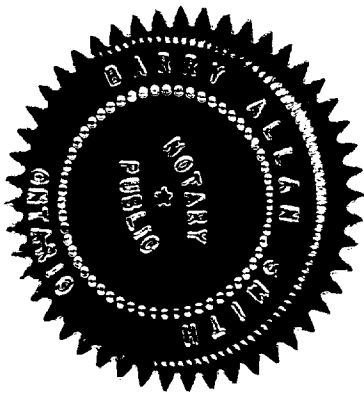
Canada)
Province of Ontario) TO ALL WHOM THESE PRESENTS
To wit) MAY COME, BE SEEN OR KNOWN

I, BARRY ALLAN SMITH, a Notary Public, in and for the Province of Ontario, by Royal
Authority duly appointed, residing at the City of Toronto in said Province,

Do Certify and Attest that the paper-writing hereto annexed is a true copy of a document
produced and shown to me and purporting to be the Last Will and Testament of Leslie George
Dutchburn dated July 12, 1994,

the said copy having been compared by me with the said original document, an act whereof being
requested I have granted under my Notarial Form and Seal of Office to serve and avail as
occasion shall or may require.

IN TESTIMONY WHEREOF I have hereto subscribed my name and affixed my Notarial Seal of
Office at Toronto, this 7th day of June, 2000.



A stylized handwritten signature in black ink, consisting of a large loop and a smaller flourish.

A Notary Public in and for the Province of Ontario

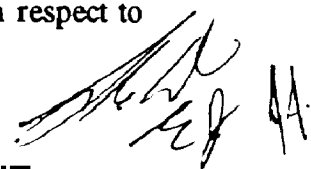
THIS IS THE LAST WILL of me, LESLIE GEORGE DUTCHBURN, of the City of North York in the Municipality of Metropolitan Toronto, Province of Ontario.

I. I REVOKE all former wills and other testamentary dispositions made by me.

II. I APPOINT my wife, KATHRYN ANN DUTCHBURN, of the City of North York in the Municipality of Metropolitan Toronto, to be the Executor and Trustee of this my Will. If the said KATHRYN ANN DUTCHBURN shall have predeceased me or shall survive me but die before the trusts hereof shall have terminated or shall be unable or unwilling to act or to continue to act as my Executor and Trustee then, I appoint one of the following persons, in the following order of priority, as my Executor and Trustee, each individual to be appointed in the event that the individual named before him shall have died before the trusts hereof shall have terminated or shall be unable or unwilling to act or to continue to act, namely, my son, JASON CORBEE DUTCHBURN, my brother, RAYMOND DUTCHBURN, or my cousin, DOROTHY FOSTER. References to "my Trustees" in this my Will shall include each Executor and Trustee of my Will, my estate or any portion thereof who may be acting as such from time to time whether original or substituted and whether one or more.

III. I GIVE all my property wheresoever situate, including any property over which I may have a general power of appointment, to my Trustees upon the following trusts, namely:

- (a) To pay out of and charge to the capital of my general estate my just debts, funeral and testamentary expenses and all income taxes, estate, inheritance and succession duties or taxes whether imposed by or pursuant to the law of this or any other jurisdiction whatsoever that may be payable in connection with any property passing (or deemed so to pass by any governing law) on my death or in connection with any insurance on my life or any gift or benefit given or conferred by me either during my lifetime or by survivorship or by this my Will or any Codicil hereto and whether such duties or taxes be payable in respect of estates or interests which fall into possession at my death or at any subsequent time; and I hereby authorize my Trustees to defer, commute or prepay any such taxes or duties. This direction shall not extend to or include any such taxes that may be payable by a purchaser or transferee in connection with any property transferred to or acquired by such purchaser or transferee upon or after my death pursuant to any agreement with respect to**



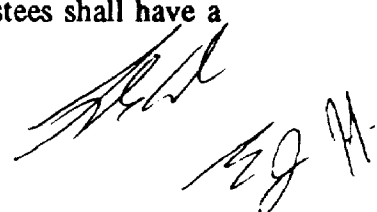
such property.

- (b) If my wife, KATHRYN ANN DUTCHBURN, survives me for a period of thirty (30) days, to pay, transfer and assign the residue of my estate to her for her own use absolutely.
- (c) In the event that my wife, KATHRYN ANN DUTCHBURN, predeceases me, or survives me and dies within a period of thirty (30) days, to pay and transfer the residue of my estate to my son, JASON CORBEE DUTCHBURN, if he survives me, for his own use absolutely.
- (e) If my wife and my son both predecease me, to divide the residue of my estate among my issue alive at the date of my death in equal shares per stirpes.

IV. SUBJECT AS MAY BE SPECIFICALLY provided herein, if any person should become entitled to any share in my estate before attaining the age of majority or while under any other disability, the share of such person shall be held and kept invested by my Trustees, and the income and capital or so much thereof as my Trustees shall, in their absolute discretion, consider necessary or advisable shall be used for the benefit of such person until he or she attains the age of majority or is no longer under such disability when such share or the amount thereof remaining shall be paid or transferred to him or her, or should such person die before attaining the age of majority or while subject to such disability, to his or her legal personal representatives.

V. I AUTHORIZE my Trustees to make any payments for any person under the age of majority or who is otherwise under a legal disability to a parent, guardian or committee of such person or to any other person my Trustees may consider to be a proper recipient therefor whose receipt shall be a sufficient discharge to my Trustees.

VI. I AUTHORIZE my Trustees to use their discretion in the realization of my estate, with power to sell, call in and convert into money any part of my estate not consisting of money at such time or times, in such manner and upon such terms, and either for cash or credit or for part cash and part credit as they may in their absolute discretion decide upon, or to postpone such conversion of my estate or any part or parts thereof for such length of time as they may think best. My Trustees shall have a

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separate and substantive power to retain any of my investments or assets in the form existing at the date of my death at their absolute discretion without responsibility for loss to the intent that investments or assets so retained shall be deemed to be authorized investments for all purposes of this my Will. No reversionary or future interest shall be sold prior to falling into possession and no such interest not actually producing income shall be treated as producing income.

VII. WHENEVER it becomes necessary for my Trustees to invest any moneys held in connection with my estate I will and declare that my Trustees in making such investment shall not be limited to investments authorized by law for trustees but may invest in any investment that in their uncontrolled discretion they consider advisable and my Trustees shall not be held responsible for any loss that may be occasioned by any such investment made by them in good faith.

VIII. MY TRUSTEES may make any division of my real or personal estate or set aside or pay any share or interest therein either wholly or in part in the assets forming my estate at the time of my death or at the time of such division, setting aside or payment, and I expressly will and declare that my Trustees shall in their absolute discretion fix the value of my estate or any part thereof for the purpose of making any such division, setting aside or payment and the decision of my Trustees shall be final and binding upon all persons concerned, notwithstanding any fluctuation in market value and notwithstanding that one or more of my Trustees may be beneficially interested in the property or any part thereof so valued.

IX. I AUTHORIZE my Trustees to make or refrain from making, in their absolute discretion, any elections, determinations, and designations permitted by any statute or regulation enacted by the Parliament or government of Canada, by the legislature or government of any province of Canada, or by any other legislative or governmental body of any other country, province, state or territory, and such exercise of discretion by my Trustees shall be conclusive and binding upon all the beneficiaries hereof. Specifically, and without limiting the generality of the foregoing, my Trustees are empowered to make any election or elections contemplated by or provided for in subsection 104(5.3) of the *Income Tax Act* (Canada), or any similar or successor section (an election to defer the deemed "disposition day") and subsection 104(14) of the *Income Tax Act* (Canada), or any similar or successor section (a "preferred beneficiary election"), as they in their absolute discretion consider to be in the best interests of my estate as a whole or to be in keeping with the purposes of this my Will. In making any preferred beneficiary election, my Trustees shall not be required to maintain an even hand between the beneficiaries of this my

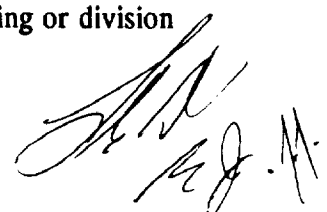


Will. No preferred beneficiary election shall be construed or interpreted as an exercise by my Trustees of a discretion to pay out, allocate, or set aside any of the net annual income derived from my estate, except for the limited purposes of the *Income Tax Act*, and no beneficiary shall have any additional right or interest (other than provided for elsewhere herein) in any income which is the subject of a preferred beneficiary election by reason of such election. In addition to their power herein to make a preferred beneficiary election, my Trustees are hereby granted a separate and substantive power to make any such preferred beneficiary election on behalf of any beneficiary who is a minor. My Trustees shall not be liable to any person, whether beneficiary or otherwise, by reason of any loss, claim, tax or other cost experienced by any such person or by my estate resulting from any election, determination, designation or exercise of discretion, including any preferred beneficiary election, entered into by my Trustees in good faith.

X. I AUTHORIZE my Trustees to sell, partition, exchange or otherwise dispose of the whole or any part of my real property in such manner at such time and upon such terms as to credit or otherwise as they in their discretion consider advisable, with power to accept purchase money mortgage or mortgages for any part of the purchase or exchange price. My Trustees shall also have the power to mortgage, lease for any term the real or leasehold property forming part of my estate, subject to such covenants and conditions as they shall think fit, to accept surrenders of leases and tenancies, to expend money in repairs, alterations, rebuilding and improvements and generally to manage any such property. My Trustees shall also have the right to renew and keep renewed any mortgage or mortgages upon any real estate forming part of my estate or any part thereof, to borrow money on any such real estate upon the security of any mortgage or mortgages and to pay off any mortgage or mortgages which may be in existence at any time forming part of my estate. I also give to my Trustees power to execute and deliver such deeds, mortgages, leases or other instruments as may be necessary to effect such a sale, mortgage, lease or other disposition. The power of sale herein is discretionary and not mandatory.

XI. I AUTHORIZE AND EMPOWER my Trustees to compromise, settle, waive or pay any claim or claims at any time owing by my estate or which my estate may have against others for such consideration or no consideration and upon such terms and conditions as my Trustees may deem advisable and to refer to arbitration all such claims if my Trustees deem same advisable.

XII. I DECLARE that no gift, or the income therefrom, under this my Will shall be assigned or anticipated, or fall into any community of property, partnership or other form of sharing or division

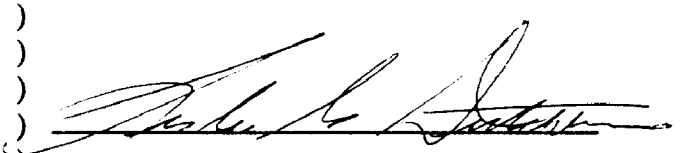
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of property which may exist between any beneficiary and his or her spouse, and every gift together with the income therefrom shall remain the separate property of a beneficiary hereunder, free from all matrimonial rights or controls by his or her spouse. Without limiting the generality of the foregoing, I direct that all of the gifts and other benefits granted by me under this my Will and all the income derived therefrom shall be excluded from net family property of a beneficiary and the value thereof shall not be subject to division between a beneficiary and his or her spouse pursuant to the Ontario *Family Law Act*, or any successor legislation thereto. All references to income contained in this paragraph of this my Will are intended by me and shall be deemed to include capital gains as well as any other accretions to capital arising from a gift or benefit hereunder.

IN WITNESS WHEREOF I have to this my Last Will and Testament, written upon this
and four (4) preceding pages, subscribed my name this 12th day of July, 1994

SIGNED by the testator, Leslie George
Dutchburn, as his last Will, in the presence of
us, both present at the same time, who at his
request, in his presence and in the presence of
each other have hereunto subscribed our name as
witnesses.

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WITNESS:

Name: Eloise Th. Julian
Address: 155 Alexandra Blvd Toronto
Occupation: Lawyer

WITNESS:

Name: Jack Julian /ack /
Address: 155 Alexandra Blvd.
Occupation: Student