

08-14-2000

Practitioner's Docket No. 3700



PATENT

IN THE UNITED

101430619

MARK OFFICE

Box: Assignments
Commissioner for Patents
Washington, D.C. 20231

10714 U.S. PTO
09/615925
07/13/00

NOTE: "Documents and cover sheets to be recorded should be addressed to Assistant Commissioner for Patents, Box Assignments, Washington, D.C. 20231, unless they are filed together with new applications or with a petition under § 3.81(b)." 37 CFR § 3.27

ASSIGNMENT(DOCUMENT) COVER SHEET (37 CFR 3.31)

NOTE: "A cover sheet may not refer to both patents and trademarks." 27 CFR 3.31(b)

Attached please find an assignment (document) for recordal.

09/615925

CERTIFICATION UNDER 37 CFR 1.8(A) AND 1.10

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional)

I hereby certify that, on the date shown below, the correspondence is being:

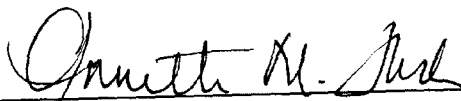
MAIL

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231
37 CFR (1.8(a))
- ☐ with sufficient postage as first class mail
- ☒ as "Express Mail Post Office to Addressee"
Label No. EL510120871US
(mandatory)

37 CFR 1.10*

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.


Signature
Annette M. Turk, Legal Assistant
(typed name)

Date: July 13, 2000

***WARNING:**

Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

08/11/2000 MTHAI1 00000270 09615925
01 FC:581 80.00 DP

**IDENTIFICATION OF APPLICATION(S) AND/OR PATENTS(S)
FOR ASSIGNMENT (DOCUMENT) RECORDAL
(37 CFR 3.21 and 37 CFR 3.31(a)(4))**

NOTE: See 37 CFR 3.21.

Note: § 3.21 does not apply to documents other than assignment. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

1. This assignment is for the following patent application and/or issued patent:

National application Serial No. **HEREWITH**, filed on **July 13, 2000**; and
Provisional application Serial No. **60/143,441**, filed on **July 13, 1999**

International application **PCT/US**_____, international filing date ____

Patent No. _____, issued on _____

(Complete if applicable) which was previously assigned and recorded

Date _____ Reel _____; Frame _____

(also complete the following, if applicable)

☐ and also for the applications and/or patents shown on the attached list of **FURTHER APPLICATION(S) and/or PATENT(S) BEING ASSIGNED**

Number of pages added: _____

NOTE: Where there is a listing of properties contained within a document, any listing may be copied and attached to the cover sheet to reduce the amount of typing necessary. A notation of this attachment can be made in lieu of entering every property identification number on the cover sheet. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

TOTAL NUMBER OF APPLICATIONS AND/OR PATENTS AND TOTAL FEE (37 CFR 3.28 (a)(6))

2. A. The total number of applications and/or patents identified in this cover sheet is **one**.

B. The total fee is (37 CFR 1.21(h)):

2 x **\$40.00** = **\$80.00**

(Total number of
Applications and/or
Patents)

C. Payment of fee is made by: ☒ The attached check for **\$40.00**
☐ Please charge Account 13-4213. A duplicate of
this cover sheet is attached.

Please charge Account 13-4213 for any fee deficiency or credit to account any overpayment.

NAME OF PARTY(IES) CONVEYING INTEREST (37 CFR 3.31(a)(1))

NOTE: "The term 'party' as used in this rule (§ 3.31) means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the documents." Notice of June 24, 1992 (1140 O.G. 63-72, at 65).

3. The party(ies) conveying interest is (are):

Name 1: **HAROLD A. DAW**

Name 2:

Name 3:

**IDENTIFICATION OF APPLICATION(S) AND/OR PATENTS(S)
FOR ASSIGNMENT (DOCUMENT) RECORDAL
(37 CFR 3.21 and 37 CFR 3.31(a)(4))**

NOTE: See 37 CFR 3.21.

Note: § 3.21 does not apply to documents other than assignment. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

1. This assignment is for the following patent application and/or issued patent:

National application Serial No. **HEREWITH**, filed on **July 12, 2000**; and
Provisional application Serial No. **60/143,441**, filed on **July 13, 1999**

International application **PCT/US**_____, international filing date _____

Patent No. _____, issued on _____

(Complete if applicable) which was previously assigned and recorded

Date _____ Reel _____; Frame _____

(also complete the following, if applicable)

- ☐ and also for the applications and/or patents shown on the attached list of **FURTHER APPLICATIONS(S) and/or PATENT(S) BEING ASSIGNED**

Number of pages added: _____

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B. The total fee is (37 CFR 1.21(h)):

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(Total number of
Applications and/or
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The attached check for **\$40.00**

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NAME OF PARTY(IES) CONVEYING INTEREST (37 CFR 3.31(a)(1))

NOTE: "The term 'party' as used in this rule (§ 3.31) means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the documents." Notice of June 24, 1992 (1140 O.G. 63-72, at 65).

3. The party(ies) conveying interest is (are):

Name 1: **HAROLD A. DAW**

Name 2:

Name 3:

NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST 37 CFR 3.31(a)(2))

4. The rights are being conveyed to:

Name: **NEW MEXICO STATE UNIVERSITY TECHNOLOGY TRANSFER CORPORATION**
Address: **MSC 3 RES — Box 30001**
Las Cruces, New Mexico 88003-8001

DESCRIPTION OF INTEREST CONVEYED OR TRANSACTION RECORDED (37 CFR 3.31(a)(3))

5. ☒ an assignment ☐ a security agreement
☐ a merger ☐ a license
☐ a change of name ☐ a change of address
☐ other: _____

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE
SHOULD BE MAILED (37 CFR 3.31(a)(5))**

6. Please address correspondence to:
STEPHEN A. SLUSHER, Reg. No. 43,924
Post Office Box 26927
Albuquerque, New Mexico 87125-6927
Telephone: (505) 998-1500; direct line: (505) 998-6130

DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 CFR 3.31(a)(7))

7. The attached assignment (document) was executed on **June 29, 2000**

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

NOTE: "The Office will accept and record non-English language documents only if accompanied by a verified English translation signed by the individual making the translation." 37 CFR 3.26.

8. The attached document:
☒ is in the English language
☐ is not in the English language and a verified English translation signed by the individual making the translation is attached.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

NOTE: See 37 CFR 3.24.

9. Submitted herewith is:

- ☒ the original document
☐ a true copy of the original document, which I certify to be a true copy.

NOTE: "If the original [assignment] document is two-sided or the wrong size, the practitioner can comply with the requirement [set out in 37 CFR § 3.24] by providing a true copy of the or original document using only one side of each page on the correct size paper." Notice of June 24, 1992, 1140 O.G. 63-76, at 67.

NOTE: "Certification shall be made by the person submitting a copy of an original document that the document submitted is a true copy of the original. The certification is not required to be in an oath or declaration form." MPEP, 6th ed. § 302.01.

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF ADDRESS

(check item, if applicable)

10. ☐ Because the purpose of the attached documents is to record a change of address of the assignee, the particulars of the previously recorded assignment(s) for each application and/or patent are shown.

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF NAME

(check item, if applicable)

11. ☐ Because the purpose of the attached document is to record a change of name of the assignee, the particulars of the previously recorded assignment(s) for each application and/or patent are shown.

CHANGE OF PATENT MAINTENANCE FEE ADDRESS

(check item, if applicable)

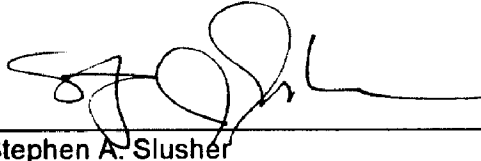
12. ☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent to the Office separately.

STATEMENT (37 CFR 3.31(a)(9)) AND SIGNATURE (37 CFR 3.31(a)(10))

13. 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.

NOTE: *"The term 'party' as used in this rule [§ 4.41] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where the corporation's name appears on the document." Notice of June 24, 1992, 1140 O.G. 63-76, at 65.*

Date: July 13, 2000



Stephen A. Slusher
PEACOCK, MYERS & ADAMS, P.C.
Post Office Box 26927
Albuquerque, New Mexico 87125-6927
Direct line: (505) 998-6130

Reg. No. 43,924

Telephone: (505) 998-1500

Customer No. 005179

TOTAL NUMBER OF PAGES BEING SUBMITTED

14. The total number of pages being submitted, including cover sheet attachment(s), and documents are: 7

[\\JDM\DOCS\ANNETTE\NMSUT-Daw-Asn.PTO.doc] 37000-9907

ASSIGNMENT OF INVENTION AND PATENT RIGHTS

Inventors/Assignors: Harold Daw

Provisional Serial No. 60/143,441

Filing Date: July 13, 1999

Utility Serial No. _____

Filing Date: July 13, 2000

Whereas, Harold Daw of Las Cruces, New Mexico (hereinafter referred to as "Assignor") is an emeritus professor of New Mexico State University, 2030 Guthrie Place, Las Cruces, New Mexico 88001 and as such has made a certain invention entitled *Free Rotator Demonstrator*, for which a provisional patent application was filed at the expense of New Mexico State University Technology Transfer Corporation ("Assignee"), on July 13, 1999, in the United States Patent and Trademark Office. The patent application is filed under attorney docket No. 37000-9907, and is identified as Serial No. 60/143,441. A corresponding utility application has or will be filed by Assignee on or before July 13, 2000.

For good and valuable consideration the receipt of which is hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee all right, title and interest in and to the invention and all improvements and the interest in and to any and all copyrights and patent applications and patents which may be issued thereon in the United States of America and all foreign countries, including all rights of priority under the international conventions and treaties, including all provisional, utility, divisions, substitutions, reissues, renewals, continuations, reexaminations or other applications based in whole or in part thereon, and the right to sue for past, present, and future infringement of such rights, in the name of Assignee or its designee.

Assignor hereby authorizes and requests the attorneys of record in said application to insert in this Assignment the filing date and serial number of said application when officially known.

Assignor further agrees with Assignee that this Assignment covers all processes, specifications, procedures, techniques and other knowledge and information now or hereafter known to Assignor which are not in the public domain and which relate to the above-mentioned invention or improvement, its manufacture, uses or embodiments, or other matters (the "Related Know-How").

Assignor agrees to disclose or provide all Related Know-How to Assignee when discovered or upon request.

Further, Assignor agrees to communicate to Assignee any facts known to Assignor respecting said invention, and to testify in any legal proceedings, to sign all lawful papers, to execute all provisionals, utilities, divisions, continuations, in whole or in part, substitutions, renewals and reissue applications, to execute all necessary assignment papers to cause any and all of said Patents to be issued to Assignee, to make all rightful oaths and generally to do everything necessary or desirable to aid Assignee, its successors and assigns, to obtain and enforce proper protection for said invention.

Assignor's rights in the above-mentioned invention or improvement and Related Know-How and any copyrights, patent application(s) and Letters Patent thereon have not been previously assigned, mortgaged or otherwise encumbered, and Assignor has full right, power and authority to assign all such rights to Assignee hereunder.

As used herein, the terms "Assignor" and "Assignee" shall include such parties and their heirs, administrators, estates, successors and assigns of every kind.

Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks and the U.S. Copyright Office of the United States, and all foreign countries' equivalent officials, to issue such Letters Patent and copyright registration as shall be granted on said application or applications based thereon to Assignee.

DATED this 29 day of June, 2000.

Harold A. Daw
Harold Daw

STATE OF NEW MEXICO)
) ss.
COUNTY OF DONA ANA)

The foregoing instrument was acknowledged before me this 29 day of June, 2000, by Harold Daw.

Maureen Camery
Notary Public

My commission expires:

February 27, 2002
SEAL

F:\ASSIGN\NMSUT-Daw.asn.doc] 37000-9907