

10-30-2000



101498692

HEET

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy(ies) thereof:

1. Name(s) of conveying party(ies): 9-6-00
James A. Ellers, Jr. and Henry Y. Chin

Name and address of receiving party:

3. Nature of Conveyance:
 Assignment
 Other: _____
Execution Date: February 15, 2000

Tektronix, Inc
26600 S.W. Parkway Avenue
P.O. Box 1000 (63-LAW)
Wilsonville, OR 97070-1000

4. Application 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).
29/114,965

B. Patent No(s).

5. Name and address of party to whom correspondence concerning document should be mailed:
Denis Robitaille
Xerox Corporation
P.O. Box 1000 (63-LAW)
Wilsonville, OR 97070-1000

6. Total Number of applications and patents involved: **1**
7. Total Fee (37 CFR 3.41) **\$ 40.00**
 Enclosed
 Authorized to be charged to Deposit Account

8. Deposit Account No. **24-0025**

DO NOT USE THIS SPACE

10. Statements 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.

Denis A. Robitaille
Name of Person Signing

Signature

August 30, 2000
Date

DN: DSA0410/6997 US 0

Total number of pages including cover sheet, attachments and document: 3

06-05-2000

MNO
5.11.00

RE



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101373524

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy(ies) thereof:

1. Name(s) of conveying party(ies): James A. Ellers, Jr., Henry Y. Chin, and Kuoyong Huang	Name and address of receiving party: Tektronix, Inc 26600 S.W. Parkway Avenue P.O. Box 1000 (63-LAW) Wilsonville, OR 97070-1000
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Other: _____ Execution Date: <u>February 15, 29, 2000</u>	DD MAY 11 AM 10:49 OP/PATENTANCE

4. Application 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). 29/114,965	B. Patent No(s).

5. Name and address of party to whom correspondence concerning document should be mailed: Denis Robitaille Xerox Corporation P.O. Box 1000 (63-LAW) Wilsonville, OR 97070-1000	6. Total Number of applications and patents involved: 1
	7. Total Fee (37 CFR 3.41) \$ 40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to Deposit Account
	8. Deposit Account No. 24-0025

DO NOT USE THIS SPACE

10. Statements and signature. <i>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.</i>		
<u>Denis A. Robitaille</u> Name of Person Signing	 Signature	<u>May 11, 2000</u> Date
DN: DSA0410/6997 US 0 Total number of pages including cover sheet, attachments and document: <u>3</u>		

(06/02/2000 DNGUYEN 00000286 240025 29114965
01 FC:581 40.00 CH)

ASSIGNMENT DECLARATION

WHEREAS, I/WE James A. Ellers, Jr., Henry Y. Chin, and Kuoyong Huang; residing 10630 SW Lancaster Road, Portland, Oregon 97219; 1261 Vargas Drive, San Jose, California 95120; 4901 W Collum Avenue, Chicago, Illinois 60641; respectively, have invented certain new and useful improvements in;

SOLID INK STICK FOR A COLOR PRINTER

for which I/we:

- have executed an application for Letters Patent of the United States of even date herewith;
- have filed an application for Letters Patent of the United States on December 23, 1999 under Serial No.: 29/114,965; and

Tektronix, Inc., (hereinafter called Assignee), an Oregon corporation whose address is 26600 S.W. Parkway Avenue, P. O. Box 1000, Wilsonville, Oregon 97070-1000 desires to acquire my/our entire right, title and interest in and to said improvements and said application;

For good and valuable consideration, the receipt and sufficiency of which is acknowledged, I/we hereby assign and transfer to Assignee my/our entire right, title and interest in and to said improvements throughout the world, and in and to said application, including any continuation(s) or division(s) thereof, and any Letters Patent or other protective right(s) that may be granted therefor in the United States and in any and all foreign countries, including the right to file in foreign countries applications for protection of said improvements claiming priority from said applications.

I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and corresponding officials in any and all foreign countries to issue said Letters Patent(s) or protective right(s) to Assignee as the assignee of my/our entire right, title and interest therein, for the sole use and benefit of Assignee.

I/We hereby covenant that I/we have full right to convey the entire interest herein assigned, and that I/we have not executed, and will not execute, any agreement in conflict herewith.

I/We hereby agree to communicate to Assignee or its legal representatives any facts known to me/us relating to said improvements, to testify as to the same in any interference or legal proceeding concerned therewith, to execute promptly and deliver to Assignee or its legal representatives upon request any and all papers, instruments, declarations and affidavits required to apply for, obtain, maintain and enforce Letters Patent(s) or other protective right(s) for said improvements throughout the world, and generally to do everything necessary or desirable to vest and perfect title thereto in Assignee.

This assignment is binding upon me/us and my/our heirs, successors and personal representatives, and shall inure to the benefit of Assignee, its successors, assigns and nominees.

IN TESTIMONY WHEREOF, I/We hereinto set our hands and seals the day and year set opposite our respective signatures.

Date: 2/29/00 Signature: [Signature]
(James A. Ellers, Jr. - inventor)

Witnessed by: ANGELA NGUYEN [Signature] 02/29/00
(Print Name) Signature Date

Date: 2-15-00 Signature: [Signature]
(Henry Y. Chin - inventor)

Witnessed by: JOSHUA K. HOYT [Signature] 2/15/00
(Print Name) Signature Date

Date: _____ Signature: _____
(Kuoyong Huang - inventor)

Witnessed by: _____
(Print Name) Signature Date

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Asst. Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: May 11, 2000 Rae Caldwell
(Name of Person Signing Certification)


Signature of Person

PATENT APPLICATION
Attorney Docket No. DSA0410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James A. Ellers, et al.

Group Art Unit: 2900

Serial No: 29/114,965

Examiner: Unknown

Filed: December 3, 1999

For: Solid Ink Stick For A Color Printer

Asst. Commissioner For Patents
Washington, D.C. 20231
ATTN: Assignment Branch

TRANSMITTAL LETTER FOR RECORDATION OF ASSIGNMENT
OF UNAVAILABLE JOINT INVENTOR, KUOYONG HUANG

The Assignment Branch is respectfully requested to record the assignment of the unavailable joint inventor, Kuoyong Huang, in the above-identified application for patent to Tektronix. As such, the following documents are attached:

- (1) Recordation Form Cover Sheet;
- (2) The original Assignment Document signed by the available joint inventors.
- (3) Declaration and Power of Attorney (photocopy) executed by all the inventors except for the unavailable joint inventor, Kuoyong Huang.
- (4) Photocopy of Declaration (with Exhibit) specifying the facts establishing that the joint inventor, Kuoyong Huang, was not found or reached

PATENT
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after diligent effort.

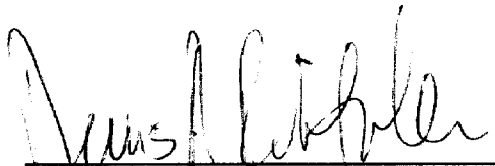
To my knowledge and belief, Mr. Huang as an employee of Ziba Design, Inc. has an obligation to assign the present application for patent to Tektronix, in accordance with the Colorstix® Shape Development Agreement between Ziba Design, Inc. and Tektronix, which states: "Ziba also agrees to assign, and to require its employees to assign, to Tektronix all right, title, and interest in and to such designs, and to Tektronix all right, title, and interest in and to such designs, and to execute such documents as may be required to file and prosecute patent applications, in the United States and elsewhere, pertaining to such inventions and improvements."

The last known address of the unavailable joint inventor, Kuoyong Huang is:

4901 W. Collum Avenue
Chicago, IL 60641

Please charge any required petition fee to Deposit Account No. 24-0025.

Respectfully submitted,



Denis A. Robitaille
Attorney for Applicant
Reg. No. 34,098

May 11, 2000

Xerox Corporation
26600 S.W. Parkway
MS 7063-LAW
Wilsonville, OR 97070
Telephone: (503) 685-4226

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Applicants: Fred T. Mattern, et al.

Art Unit: 2900

Serial No.: 29/114,965

Filed: December 3, 1999

Examiner: Not Assigned

For: "Solid Ink Stick For A Color Printer"

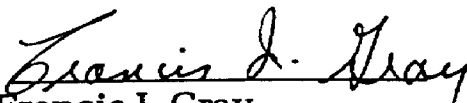
ASST. COMMISSIONER FOR PATENTS:
U.S. Patent and Trademark Office
Washington, D.C. 20231

APPOINTMENT OF ASSOCIATE ATTORNEY

Sir:

In the above-identified application, please recognize Mr. Denis A. Robitaille, Registration No. 34,098, as an associate attorney, with full power to prosecute this application, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith.

Respectfully submitted,

By 
Francis I. Gray
Registration No. 27,788
Attorney for Applicant (s)

TEKTRONIX, INC.
PO Box 1000 (63-LAW)
Wilsonville, OR 97070-1000
Telephone: (503) 685-4227

Docket No. 6997 US 0
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April 6, 2000

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Asst. Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: May 2, 2000

Rae Caldwell
(Name of Person Signing Certification)


Signature of Person

COPY

PATENT APPLICATION
Attorney Docket No. DSA0410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James A. Ellers, et al.

Group Art Unit: 2900

Serial No: 29/114,965

Examiner: Unknown

Filed: December 3, 1999

For: Solid Ink Stick For A Color Printer

Asst. Commissioner For Patents
Washington, D.C. 20231

DECLARATION

I, Rae Jean Caldwell, hereby declare that:

1. I am a legal assistant employed by Xerox Corporation's Office Printing Business, formerly Tektronix' Color Printing and Imaging Division.

2. Kuoyong Huang is an inventor on the referenced design patent application. Mr. Huang was an employee of Ziba Designs, Inc. ("Ziba Design"). Tektronix contracted with Ziba Design to design and develop ink stick shapes. According to the Colorstix® Shape Development Agreement between Ziba Design and Tektronix, "Ziba also agrees to assign, and to require its employees to assign, to Tektronix all right, title, and interest in and to such designs, and to Tektronix all right, title, and interest in and to such designs, and to execute such

PATENT
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documents as may be required to file and prosecute patent applications, in the United States and elsewhere, pertaining to such inventions and improvements.”

3. Mr. Huang has left employment with Ziba Design.

4. Prior to February 2000, Charles F. Moore, original patent attorney of record in the subject patent application, attempted to contact Mr. Huang at the residence telephone number for the address provided to his former employer, Ziba Design. That number was disconnected.

4. On February 9, 2000, I obtained a new telephone number (847) 733-2424 for Mr. Huang from a former associate, Henry Chin, who worked with Mr. Huang at Ziba Design. I attempted to contact Mr. Huang at this number, where there was a voicemail recording for the Mr. Huang residence. I responded to the recording by leaving a detailed message of who I was, where I was calling from, and that I was calling to get his correct address so that I could mail to him the documents for the subject patent application for which he was one of the named inventors. I never received a return call from Mr. Huang.

5. On February 11, 2000, I attempted to contact Mr. Huang again by telephone and I again got his voicemail. I did not leave a voicemail at this time.

6. On February 16, 2000, I attempted to contact Mr. Huang again by telephone and got a message that the number was disconnected and no longer in service.

7. I contacted Henry Chin, the previously identified former Ziba Design associate, to notify him that the number he provided to me was disconnected. Mr. Chin advised that he didn't have any updated contact information.

8. On February 23, 2000, I mailed by certified mail No. Z 212 808 145, a packet to Mr. Huang at his last known address of 4901 W. Collum Avenue, Chicago, Illinois, 60641, containing a copy of the application and drawings as filed, an assignment and a declaration. The certified mail receipt was signed and I received the return receipt on March 13, 2000. Copies of the certified receipts are attached as Exhibit A to this Declaration. I have never received the documents sent to Mr. Huang for signature.

9. The documents have not been returned by Mr. Huang, nor have I received any contact from him.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rae J. Caldwell', is written over a solid horizontal line.

Rae J. Caldwell

May 5, 2000

Xerox Corporation
Office Printing Business
26600 S.W. Parkway, MS 7063-LAW
Wilsonville, OR 97070

THE DOCUMENT COMPANY
XEROX

Rae Caldwell
Legal Assistant, Law Department

February 23, 2000

VIA CERTIFIED MAIL
NO.: Z 212 808 145

Kuoyong Huang
Apt. 3
4901 W. Collum Avenue
Chicago, IL 60641

Reference: Four Ink Stick Design Cases
Our Reference No. 6994-6997 US 0

Dear Kuoyong:

Enclosed are copies of the applications that were filed with the US Patent Office on December 3, 1999, which cover the four ink stick designs for the Phaser® 850 printer. As you know, you are a named inventor on these applications.

These applications were filed without the signed declaration or assignment. I am now in the process of obtaining signatures so that we can file these documents per the Patent Office's instruction. Please review the application and drawings for each case and if you find the information to be accurate, execute the documents for each case. Be sure and have your signature witnessed.

We have a short deadline in this case, so please return them to me at your earliest convenience. Please call me if you have any questions at (503) 685-4228.

Thank you for your assistance in this matter.

Very truly yours,



Rae J. Caldwell
Legal Assistant

Enclosure

Xerox Corporation
26600 S.W. Parkway Avenue
Wilsonville, OR 97070
Telephone (503) 685-4228
Facsimile (503) 685-4223



Exh. 1, Pg. 1

PATENT
REEL: 011176 FRAME: 0011

THE DOCUMENT COMPANY

XEROX

Office Printing Business
26600 S.W. Parkway, MS 63-LAW
Wilsonville, OR 97070

7 212 808 145

MAIL

Kuoyong Huang
Apt. 3
4901 W. Collum Avenue
Chicago, IL 60641

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kuoyong Huang
Apt. 3
4901 W. Collum Avenue
Chicago, IL 60641

2. Article Number (Copy from service label)

Z 212 808 145

PS Form 3811, July 1999

Domestic Return Receipt

02535-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) | B. Date of Delivery

C. Signature

X

Agent

Addressee

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

Z 212 808 145

63-LAW

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	Kuoyong Huang	
Street & Number	4901 W. Collum Ave	
Post Office, State, & ZIP Code	Chicago IL 60641	
Postage	\$	
Certified Fee		
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		
Return Receipt Showing to Whom, Date, & Addressee's Address		
TOTAL Postage & Fees	\$	
Postmark or Date		

PS Form 3800, April 1995

Z 212 808 145

63-Law

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to	
Kuoyong Huang	
Street & Number	
4901 W. Collum Ave	
Post Office, State, & ZIP Code	
Chicago IL 60641	
Postage	\$
<input checked="" type="checkbox"/> Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 4.30
Postmark or Date	
USPS	

PS Form 3800, April 1995

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kuoyong Huang
Apt. 3
4901 W. Collum Avenue
Chicago, IL 60641

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) _____ B. Date of Delivery _____

C. Signature

[Handwritten Signature]
 Agent
 Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below: _____

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.
- 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

Z 212 808 145

DECLARATION FOR PATENT APPLICATION

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOLID INK STICK FOR A COLOR PRINTER

the specification of which:

(check one) is attached hereto.
 was filed on December 3, 1999 as Application Serial No.: 29/114,965 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I have identified below any foreign application(s) for patent or inventor's certificate from which I claim foreign priority benefits under Title 35, United States Code, Section 119 and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
_____	_____	_____	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)		
_____	_____	_____	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)		

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of the above-identified specification is not disclosed in the prior United States application(s) in the matter required by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Full name of **third** inventor Kuoyong Huang

Inventor's signature _____

Date _____

Residence Chicago, Illinois

Citizenship U.S.

Post Office Address 4901 W Collum Avenue
Chicago, Illinois 60641

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THE DOCUMENT COMPANY

XEROX

Denis Robitaille
Associate General Patent Counsel

August 31, 2000

Sharon Latimer, Examiner
Assignment Division
Office of Public Records

RESPONSE TO NOTICE OF NON-RECORDATION OF DOCUMENT


Reference: Document ID No. 101373524
Serial No. 29/114,965
Docket No. DS/A0410

Dear Sharon:

Please accept the enclosed documents in response to your correspondence dated July 28, 2000, notifying us that the Assignment Division has found the previously filed transfer of assignment documents unrecordable. As instructed by your office, we have deleted the name of the unavailable inventor from the Recordation Form Cover Sheet.

I note that we have previously paid the required fee associated with this transaction with the previously filed documents, dated May 11, 2000. I would hope that the present submittal of revised documentation will not necessitate additional payment. However, if necessary, you are authorized to charge our Deposit Account No. 24-0025.

Regards,


Denis A. Robitaille
Reg. No. 34,098
Associate General Patent Counsel
West Coast Business Operations

DAR:rc

Xerox Corporation
26600 S.W. Parkway Avenue
Wilsonville, OR 97070-1000
Telephone (503) 685-4226
Facsimile (503) 685-4223



RECORDED: 09/06/2000

PATENT
REEL: 011176 FRAME: 0018