

mrd
10/20/00

RE

11-02-2000

Docket No.: 112767-002

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



101503265

Tab settings → → → ▼ ▼ ▼

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

1. Name of conveying party(ies):

**David A. Mark;
Diana Twyman; and
Tom Michalski.**

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: **October 10 & 13, 2000**

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

Name: **Nestec S.A.**

Internal Address: _____

Street Address: **Avenue Nestle 55**

CH-1800 Vevey, SWITZERLAND

City: _____ State: _____ ZIP: _____

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

4. Application number(s) or registration numbers(s):

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

A. Patent Application No.(s)

Serial No.: **09/622,629**

Atty Docket No: **112701-006**

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: **Robert M. Barrett**

Internal Address: _____

Street Address: **Bell, Boyd & Lloyd LLC**

P.O. Box 1135

City: **Chicago** State: **IL** ZIP: **60690**

6. Total number of applications and patents involved:

1

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

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

02-1818

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.

Robert M. Barrett (30,142)

Name of Person Signing

Signature

October 18, 2000

Date

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

5

PATENT
REEL: 011192 FRAME: 0052

ASSIGNMENT

FOR and in consideration of One Dollar (\$1.00) to us in hand paid and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged and confessed, we, **David A. Mark; Diana Twyman; and Tom Michalski**, residing at **714 South Elmwood Avenue, Oak Park, Illinois 60304; 344 West Dickens, No. 7, Chicago, Illinois 60614; and 33094 Ashley Drive, Grayslake, Illinois 60030**, respectively, and citizens of the **United States**, hereby sell, assign, transfer and set over unto **Nestec S.A.**, a corporation of **Switzerland**, having an office and place of business at **Avenue Nestle 55, CH-1800 Vevey, Switzerland**, the entire right, title and interest in and to our inventions in

"CALORICALLY DENSE NUTRITIONAL COMPOSITION"

prepared by the firm of Bell, Boyd & Lloyd LLC of Chicago, Illinois, and executed of even date herewith, said application being identified in the office records of said firm as Case No. **112701-006**; and in the United States Patent and Trademark Office as Serial No. **09/622,629**; and to the United States Letters Patent therefor, when issued together with all improvements thereon and betterments thereof, all divisions, continuations and reissues thereof and substitutions of or for said application, and all foreign rights including the right to make application for Letters Patent for said inventions in any and all foreign countries and the right to claim priority as to the filing date under the International Convention on the basis for the aforesaid application for United States Letters Patent; and we hereby authorize and direct the Commissioner of Patents to issue the patent for said inventions, when granted, in accordance with this Assignment and sale.

For the same considerations, we hereby agree that we will promptly communicate to the aforesaid assignee or its assigns full and complete information concerning improvements or betterments of the inventions disclosed in said application, and we will cooperate at any time upon request of said assignee or its assigns, at its or their expense, in the procurement of patent protection to cover the inventions herein assigned and to be assigned, including the execution of new, divisional, continuing and reissue applications; we will make all rightful oaths, will testify in any proceedings in the United States Patent Office or in the Courts, and generally will do everything lawfully possible to aid said assignee, its successors, assigns, and nominees to obtain, enjoy and enforce proper patent protection for the inventions embraced within the terms of this document.

IN WITNESS WHEREOF, we have hereunto subscribed our name and affixed our seal
at:

Date: Oct 13, 2000 DAVID A. MARK (SEAL)
DAVID A. MARK

Before me personally appeared **David A. Mark** known to me to be the person who
executed the foregoing instrument, and acknowledged the execution and delivery thereof, under
his seal, for the uses and purposes therein set forth, on the day and year aforesaid.

Suzanne L Boyle
Witness

Date: _____ (SEAL)
DIANA TWYMAN

Before me personally appeared **Diana Twyman** known to me to be the person who
executed the foregoing instrument, and acknowledged the execution and delivery thereof, under
her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

Witness

Date: 10/10/00 TOM MICHALSKI (SEAL)
TOM MICHALSKI

Before me personally appeared **Tom Michalski** known to me to be the person who
executed the foregoing instrument, and acknowledged the execution and delivery thereof, under
her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

Chaim Delgin
Witness

ASSIGNMENT

FOR and in consideration of One Dollar (\$1.00) to us in hand paid and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged and confessed, we, **David A. Mark; Diana Twyman; and Tom Michalski**, residing at **714 South Elmwood Avenue, Oak Park, Illinois 60304; 344 West Dickens, No. 7, Chicago, Illinois 60614; and 33094 Ashley Drive, Grayslake, Illinois 60030**, respectively, and citizens of the **United States**, hereby sell, assign, transfer and set over unto **Nestec S.A.**, a corporation of **Switzerland**, having an office and place of business at **Avenue Nestle 55, CH-1800 Vevey, Switzerland**, the entire right, title and interest in and to our inventions in

"CALORICALLY DENSE NUTRITIONAL COMPOSITION"

prepared by the firm of Bell, Boyd & Lloyd LLC of Chicago, Illinois, and executed of even date herewith, said application being identified in the office records of said firm as Case No. **112701-006**; and in the United States Patent and Trademark Office as Serial No. **09/622,629**; and to the United States Letters Patent therefor, when issued together with all improvements thereon and betterments thereof, all divisions, continuations and reissues thereof and substitutions of or for said application, and all foreign rights including the right to make application for Letters Patent for said inventions in any and all foreign countries and the right to claim priority as to the filing date under the International Convention on the basis for the aforesaid application for United States Letters Patent; and we hereby authorize and direct the Commissioner of Patents to issue the patent for said inventions, when granted, in accordance with this Assignment and sale.

For the same considerations, we hereby agree that we will promptly communicate to the aforesaid assignee or its assigns full and complete information concerning improvements or betterments of the inventions disclosed in said application, and we will cooperate at any time upon request of said assignee or its assigns, at its or their expense, in the procurement of patent protection to cover the inventions herein assigned and to be assigned, including the execution of new, divisional, continuing and reissue applications; we will make all rightful oaths, will testify in any proceedings in the United States Patent Office or in the Courts, and generally will do everything lawfully possible to aid said assignee, its successors, assigns, and nominees to obtain, enjoy and enforce proper patent protection for the inventions embraced within the terms of this document.

IN WITNESS WHEREOF, we have hereunto subscribed our name and affixed our seal
at:

Date: _____ (SEAL)
DAVID A. MARK

Before me personally appeared **David A. Mark** known to me to be the person who
executed the foregoing instrument, and acknowledged the execution and delivery thereof, under
his seal, for the uses and purposes therein set forth, on the day and year aforesaid.

Witness

Date: 10/13/00 _____ (SEAL)
DIANA TWYMAN

Before me personally appeared **Diana Twyman** known to me to be the person who
executed the foregoing instrument, and acknowledged the execution and delivery thereof, under
her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

[Signature]
Witness

Date: 10/10/00 _____ (SEAL)
TOM MICHALSKI

Before me personally appeared **Tom Michalski** known to me to be the person who
executed the foregoing instrument, and acknowledged the execution and delivery thereof, under
her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

[Signature]
Witness