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101552280

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

1. Name of conveying party(ies):

Nicholas P. GIANAKOUROS and David E. SHAW

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

3. Nature of conveyance:

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

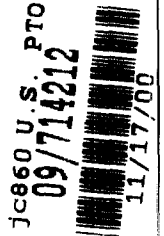
☐ Other _____

Execution Date: November 16, 2000

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

Name: D. E. Shaw & Co., Inc.
Internal Address: 120 West 45th Street
Street Address: 39th Floor
New York, NY 10036

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



9/714212

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: November 16, 2000

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:

Brian S. Mudge
Kenyon & Kenyon
Suite 700
1500 K Street, N.W.
Washington, DC 20005

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 number:

11-0600

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

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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.

David R. Schaffer (Reg. 43,089)

Name of Person Signing

Signature

November 17, 2000

Date

Total number of pages comprising cover sheet: 3

40.00 CH

FROM KENYON & KENYON DC

(WED) 11 15' 00 17:49/ST. 17:48/NO. 486150814- F 2

DOCKET NO. 2615/191

ASSIGNMENT AND AGREEMENT

For value received, we, NICHOLAS P. GIANAKOUROS, of Cranford in the County of Union and State of New Jersey, and DAVID L. SHAW, of New York in the County of New York and State of New York, hereby sell, assign and transfer to D.E. Shaw & Co., Inc., a corporation of the State of Delaware, having an office at 120 West 45th Street, New York, New York 10036, 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 **METHOD AND APPARATUS FOR THE RECEIPT, COMBINATION, AND EVALUATION OF EQUITY PORTFOLIOS FOR EXECUTION BY A SPONSOR AT PASSIVELY DETERMINED PRICES** described in an application for Letters Patent of the United States, filed concurrently 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 D.E. Shaw & Co., 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 Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize D.E. Shaw & Co., 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 D.E. Shaw & Co., Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

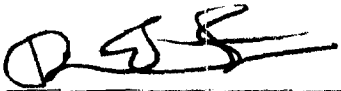
We request that any and all patents for said inventions be issued to D.E. Shaw & Co., Inc. in the United States and in all countries foreign to the United States, or to such nominees as D.E. Shaw & Co., Inc. may designate.

FROM KENYON & KENYON DC

WED: 11.15'00 17:49/ST. 17:48/NO. 4861508149 F 3

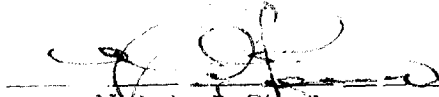
DOCKET NO. 26157.91

We agree that, when requested, we shall, without charge to D.E. Shaw & Co., 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.



David E. Shaw

11/16/2000
Date



Nicholas P. Gianakouras

11/16/2000
Date