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PATENTS ONLY
Attorney's Do. No. 8075-1

IN THE UN

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RK OFFICE

In re:

U.S. Patent No. 5,933,855, issued 08/03/99, U.S. Serial No. 08/821,326, filed 03/21/97
U.S. Application Serial No. 08/869,277, filed 06/04/97
U.S. Application Serial No. 08/851,771, filed 05/06/97
U.S. Application Serial No. 08/869,148, filed 6/4/97
U.S. Application Serial No. 09/174,057, filed 10/16/98
U.S. Application Serial No. 09/195,564, filed 11/18/98

Box Assignment
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Please record the attached original document or copy thereof and return the recorded instrument to the undersigned.

1. Name of party(ies) conveying an interest: Richard Rubinstein
2. Name and address of party(ies) receiving an interest: Marger Johnson & McCollom, P.C., 1030 S.W. Morrison Street, Portland, Oregon 97205.
3. Description of the interest conveyed: Judgment and Writ of Execution

Date of execution of attached document: March 1, 2001

4. U.S. Patent No. 5,933,855, issued 08/03/99, U.S. Serial No. 08/821,326, filed 03/21/97
U.S. Application Serial No. 08/869,277, filed 06/04/97
U.S. Application Serial No. 08/851,771, filed 05/06/97
U.S. Application Serial No. 08/869,148, filed 6/4/97
U.S. Application Serial No. 09/174,057, filed 10/16/98
U.S. Application Serial No. 09/195,564, filed 11/18/98

Additional sheet attached? No

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

MARGER JOHNSON & MCCOLLOM, P.C.
1030 S.W. Morrison Street
Portland, Oregon 97205
Telephone: (503) 222-3613

6. Number of applications and patents involved: 6
7. Enclosed is our check for \$240 *E*
8. Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.
9. 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.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & MCCOLLOM, P.C.

Dated: *14 March 2001*

By *[Signature]*
Alexander C. Johnson, Jr.
Registration No. 29,396

MARGER JOHNSON & MCCOLLOM, P.C.
1030 S.W. Morrison Street
Portland, Oregon 97205
Telephone: (503) 222-3613

Total number of pages comprising cover sheet and attached assignment: 19

PATENT *D.R.*
REEL: 011390 FRAME: 0727

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2001 MAR 15 PM 2:59
ASSIGNMENT & RECORDS
DIVISION

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): RUTH ELIN AUERBACH (104191) AUERBACH & ASSOCIATES 353 Keary Street, 3rd Floor San Francisco, CA 94108		TELEPHONE NO.: (415) 288-8590	For Court Use Only FILED MAR 1 2001 CHRISTINE PATTON, CLERK BY JANET SMITH DEPUTY, SANTA CRUZ COUNTY
ATTORNEY FOR (NAME): <i>Marger Johnson & McCollom, PC</i>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CRUZ <input checked="" type="checkbox"/> Santa Cruz <input type="checkbox"/> Watsonville Branch 701 Ocean Street, Room 110 1430 Freedom Blvd. Santa Cruz, CA 95060 Watsonville, CA 95076			
Plaintiff: <i>Marger Johnson & McCollom, an Oregon Professional Corporation</i>		Defendant: Richard Bernard Rubinstein	
CLERK'S JUDGMENT ON SISTER-STATE JUDGMENT			CASE NO.: CV 139759

In this case an application has been filed for entry of judgment based upon judgment entered in the State of (name of state): Oregon

Pursuant to Code of Civil Procedure Section 1710.25, Judgment is hereby entered as follows:

in favor of judgment creditor (name): *MARGER JOHNSON & MCCOLLOM, an Oregon Professional Corporation*
 and against judgment debtor (name): RICHARD BERNARD RUBINSTEIN *g*

for the amount shown in the Application for Entry of Judgment on Sister-State Judgment, as follows:

Amount remaining unpaid on sister-state judgment:	\$ <u>68,986.73</u>
Amount of filing fee for application:	<u>188.00</u>
Accrued interest on sister-state judgment:	<u>1,632.96</u>
TOTAL AMOUNT OF JUDGMENT:	\$ <u>70,807.69</u>

Date:

MAR - 1 2001

CHRISTINE PATTON
CLERK OF THE SUPERIOR COURT

BY: JANET SMITH
DEPUTY CLERK

Amount of interest accrued on sister-state judgment is computed at the rate of interest applicable to the judgment under the law of the sister-state, but from the time of entry, interest shall accrue on the judgment at the rate of 10 percent per annum.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): <input type="checkbox"/> Recording requested by and return to: Ruth Elin Auerbach Auerbach & Associates 353 Kearny Street, 3rd Floor San Francisco, CA 94108		TELEPHONE NO.: (415)288-8590	FOR RECORDER'S USE ONLY																								
<input type="checkbox"/> ATTORNEY FOR <input type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD		<div style="text-align: center; font-size: 1.5em; font-weight: bold;">CV 139759</div> <div style="text-align: center; font-size: 0.8em;">FOR COURT USE ONLY</div>																									
NAME OF COURT: Santa Cruz Superior Court STREET ADDRESS: 701 Ocean Street MAILING ADDRESS: CITY AND ZIP CODE: Santa Cruz, CA 95060-4086 BRANCH NAME:																											
PLAINTIFF: MARGER JOHNSON & McCOLLUM, an Oregon Professional Corporation DEFENDANT: RICHARD BERNARD RUBINSTEIN																											
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> WRIT OF </div> <div style="width: 60%;"> <input checked="" type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property </div> </div>		CASE NUMBER: <div style="text-align: center; font-size: 1.5em; font-weight: bold;">CV 139759</div> <div style="text-align: center; font-size: 0.8em;">FOR COURT USE ONLY</div>																									
1. To the Sheriff or any Marshal or Constable of the County of: Santa Clara You are directed to enforce the judgment described below with daily interest and your costs as provided by law.																											
2. To any registered process server: You are authorized to serve this writ only in accord with CCP 699.080 or CCP 715.040.		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">11. Total judgment</td> <td style="width: 10%;">\$</td> <td style="width: 80%; text-align: right;">70,807.69</td> </tr> <tr> <td>12. Costs after judgment (per filed order or memo CCP 685.090)</td> <td>\$</td> <td></td> </tr> <tr> <td>13. Subtotal (add 11 and 12)</td> <td>\$</td> <td style="text-align: right;">70,807.69</td> </tr> <tr> <td>14. Credits</td> <td>\$</td> <td></td> </tr> <tr> <td>15. Subtotal (subtract 14 from 13)</td> <td>\$</td> <td style="text-align: right;">70,807.69</td> </tr> <tr> <td>16. Interest after judgment (per filed affidavit CCP 685.050)</td> <td>\$</td> <td></td> </tr> <tr> <td>17. Fee for issuance of writ</td> <td>\$</td> <td style="text-align: right;">7.00</td> </tr> <tr> <td>18. Total (add 15, 16, and 17)</td> <td>\$</td> <td style="text-align: right;">70,814.69</td> </tr> </table>		11. Total judgment	\$	70,807.69	12. Costs after judgment (per filed order or memo CCP 685.090)	\$		13. Subtotal (add 11 and 12)	\$	70,807.69	14. Credits	\$		15. Subtotal (subtract 14 from 13)	\$	70,807.69	16. Interest after judgment (per filed affidavit CCP 685.050)	\$		17. Fee for issuance of writ	\$	7.00	18. Total (add 15, 16, and 17)	\$	70,814.69
11. Total judgment	\$			70,807.69																							
12. Costs after judgment (per filed order or memo CCP 685.090)	\$																										
13. Subtotal (add 11 and 12)	\$	70,807.69																									
14. Credits	\$																										
15. Subtotal (subtract 14 from 13)	\$	70,807.69																									
16. Interest after judgment (per filed affidavit CCP 685.050)	\$																										
17. Fee for issuance of writ	\$	7.00																									
18. Total (add 15, 16, and 17)	\$	70,814.69																									
3. (Name) MARGER JOHNSON & McCOLLUM, an Oregon Professional Corporation is the <input checked="" type="checkbox"/> judgment creditor <input type="checkbox"/> assignee of record whose address is shown on this form above the court's name.		19. Levying officer: (a) Add daily interest from date of writ (at the legal rate on 15) of \$ 19.40 (b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68511.3, CCP 699.520(i)) \$																									
4. Judgment debtor (name and last known address): Richard Bernard Rubinstein 1115 Laurent Santa Cruz, CA 95060																											
<input type="checkbox"/> additional judgment debtors on reverse		20. <input type="checkbox"/> The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.																									
5. Judgment entered on (date): MAR - 1 2001 6. <input type="checkbox"/> Judgment renewed on (dates):																											
7. Notice of sale under this writ a. <input checked="" type="checkbox"/> has not been requested. b. <input type="checkbox"/> has been requested (see reverse). 8. <input type="checkbox"/> Joint debtor information on reverse.		<div style="text-align: center;"> CHRISTINE PATTON Clerk, by JANET SMITH, Deputy </div> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;"> - NOTICE TO PERSON SERVED: SEE REVERSE FOR IMPORTANT INFORMATION. - </div>																									
[SEAL]																											

(Continued on reverse)

SHORT TITLE:

Marger Johnson v. Rubinstein

CASE NUMBER:

-Items continued from the first page-

4. ☐ Additional judgment debtor (name and last known address):

7. ☐ Notice of sale has been requested by (name and address):

8. ☐ Joint debtor was declared bound by the judgment (CCP 989-994)

a. on (date):

b. name and address of joint debtor:

a. on (date):

b. name and address of joint debtor:

c. ☐ additional costs against certain joint debtors (itemize):

9. ☐ (Writ of Possession or Writ of Sale) Judgment was entered for the following:

(Check (1) or (2))

a. ☐ Possession of real property. The complaint was filed on (date):

(1) ☐ The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46.

The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.

(2) ☐ The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.

(a) \$ _____ was the daily rental value on the date the complaint was filed.

(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

b. ☐ Possession of personal property

☐ If delivery cannot be had, then for the value (itemize in 9e) specified in the judgment or supplemental order.

c. ☐ Sale of personal property

d. ☐ Sale of real property

e. Description of property:

- NOTICE TO PERSON SERVED -

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying Notice of Levy.

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

➤ A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

*NOTE: Continued use of form EJ-130 (Rev. July 1, 1996) is authorized through December 31, 1997

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Ruth Elin Auerbach Auerbach & Associates 353 Kearny Street, 3rd Floor San Francisco, CA 94108 TELEPHONE NO.: (415)288-8590	FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> <div style="font-size: 1.2em; font-weight: bold;">MAR 1 2001</div> CHRISTINE PATTON, CLERK BY JANET SMITH DEPUTY, SANTA CRUZ COUNTY
ATTORNEY FOR (Name): Judgment Creditor, Marger Johnson NAME OF COURT: Santa Cruz Superior Court STREET ADDRESS: 701 Ocean Street MAILING ADDRESS: CITY AND ZIP CODE: Santa Cruz, CA 95060-4086 BRANCH NAME:	CASE NUMBER <div style="font-size: 1.2em; font-weight: bold;">CV139759</div>
PLAINTIFF: MARGER JOHNSON & McCOLLOM, an Oregon Professional Corporation DEFENDANT: RICHARD BERNARD RUBINSTEIN <div style="font-style: italic; font-size: 1.2em;">Amended</div>	
APPLICATION FOR ENTRY OF JUDGMENT ON SISTER-STATE JUDGMENT <input checked="" type="checkbox"/> AND ISSUANCE OF WRIT OF EXECUTION OR OTHER ENFORCEMENT <input type="checkbox"/> AND ORDER FOR ISSUANCE OF WRIT OR OTHER ENFORCEMENT	

Judgment creditor applies for entry of a judgment based upon a sister-state judgment as follows:

1. Judgment creditor (name and address):

MARGER JOHNSON & McCOLLOM, an Oregon Professional Corporation, 1030 S.W. Morrison Street, Portland, OR 97205-1616

2. a. Judgment debtor (name):

RICHARD BERNARD RUBINSTEIN

b. ☒ An individual (last known residence address):

1115 Laurent, Santa Cruz, CA 95060

c. ☐ A corporation of (specify place of incorporation):

(1) ☐ Foreign corporation

☐ qualified to do business in California

☐ not qualified to do business in California

d. ☐ A partnership (specify principal place of business):

(1) ☐ Foreign partnership which

☐ has filed a statement under Corp C 15700

☐ has not filed a statement under Corp C 15700

3. a. Sister state (name): **Oregon**

b. Sister-state court (name and location): **Circuit Court for the State of Oregon for Multnomah County**

c. Judgment entered in sister state on (date): **August 18, 2000**

4. An authenticated copy of the sister-state judgment is attached to this application. Include accrued interest on the sister-state judgment in the California judgment (item 5c).

a. Annual interest rate allowed by sister state (specify): **.09**

b. Law of sister state establishing interest rate (specify): **ORS Sec. 82.010**

5. a. Amount remaining unpaid on sister-state judgment: \$ **68,986.73**

b. Amount of filing fee for the application: \$ **188.00**

c. Accrued interest on sister-state judgment: \$ **1,632.96**

d. Amount of judgment to be entered (total of 5a, b, and c): \$ **70,807.69**

(Continued on reverse)

SHORT TITLE:

Marger Johnson v. Rubinstein

CASE NUMBER

6. ☒ Judgment creditor also applies for issuance of a writ of execution or enforcement by other means before service of notice of entry of judgment as follows:

a. ☐ Under CCP 1710.45(b).

- b. ☒ A court order is requested under CCP 1710.45(c). Facts showing that great or irreparable injury will result to judgment creditor if issuance of the writ or enforcement by other means is delayed are set forth as follows:

The debtor's major asset is a portfolio of patents and patent applications owned by him or in which he has an interest. Plaintiff/Judgment Creditor is informed that the Debtor may have already assigned, or may be in the process of assigning his rights under the assets. As set forth in the Declaration of Alex C. Johnson, Jr., filed herewith, no assignment has yet been registered with the U.S. Patent Office. Unless plaintiff is allowed to have a writ of execution issued immediately which writ can be recorded in the U.S. Patent Office, the debtor will be able to perfect the assignments thus making the assets unavailable for levy. In addition, if the writ is not filed immediately, the debtor's inaction with respect to pending patent applications could render the asset valueless.

☐ continued in attachment 6b.

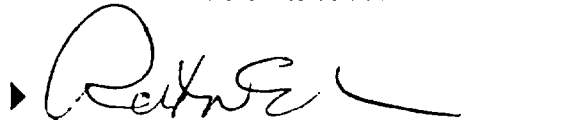
7. An action in this state on the sister-state judgment is not barred by the statute of limitations.
8. I am informed and believe that no stay of enforcement of the sister-state judgment is now in effect in the sister state.
9. No action is pending and no judgment has previously been entered in any proceeding in California based upon the sister-state judgment.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct except as to those matters which are stated to be upon information and belief, and as to those matters I believe them to be true.

Date: ~~November 20, 2000~~ 2/28/01 RAB

Ruth Elin Auerbach

(TYPE OR PRINT NAME)


(SIGNATURE OF JUDGMENT CREDITOR OR ATTORNEY)

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY
EXEMPLIFICATION CERTIFICATE

STATE OF OREGON)
Multnomah County) §

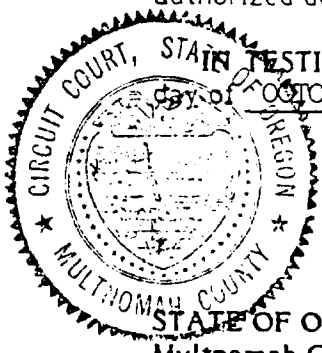
Case Title: MARGER JOHNSON & MCCOLLOM, an
Oregon professional corporation

v

RICHARD BERNARD RUBINSTEIN

Case # 9908-08731

I, James R. Ellis, Presiding Judge of the Circuit Court of the State of Oregon for the County of Multnomah, a court of record of general jurisdiction and having an official seal, DO HEREBY CERTIFY that Douglas M. Bray whose name appears on the following certificate of attestation is now and was at the time of the signing and sealing of the following certificate, Clerk of the Circuit Court for the said County and State, and that full faith and credit are due to all his official acts as such, and that said attestation is executed by his authorized deputy in due form of law.



IN TESTIMONY WHEREOF I have hereunto set my hand and official character this 23rd
day of OCTOBER, 2000.

James R. Ellis
Presiding Judge of the Circuit Court

STATE OF OREGON)
Multnomah County) §

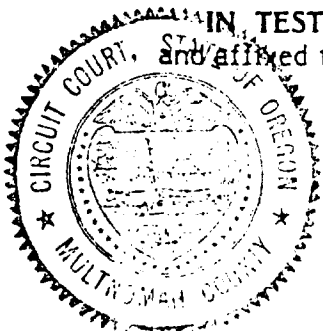
I, Douglas M. Bray, Court Administrator and Clerk of the Circuit Court of the State of Oregon for Multnomah County, a court of record of general jurisdiction and having an official seal, as legal keeper and custodian of the records and seals thereof, do hereby certify that the foregoing copy of:

*****JUDGMENT, SUPPLEMENTAL JUDGMENT*****

has been compared with the original by me and that it is a true and correct transcript therefrom and of the whole of such original as the same appears of record and on file in my office and in my custody.

I FURTHER CERTIFY that the Honorable James R. Ellis is now and was at the time of signing the foregoing certificate of attestation, one of the duly commissioned and qualified judges of the Circuit Court of the State of Oregon for Multnomah County, and that full faith and credit are due to all his official acts as such, and that his attestation hereto annexed is in due form.

IN TESTIMONY WHEREOF, I have hereunto set my hand by my duly authorized deputy and affixed the seal of the Court this 23rd day of OCTOBER, 2000.



Douglas M. Bray
Circuit Court Administrator

By

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CIRCUIT COURT

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MULTNOMAH

MARGER JOHNSON & McCOLLOM, an
Oregon professional corporation,

Plaintiff,

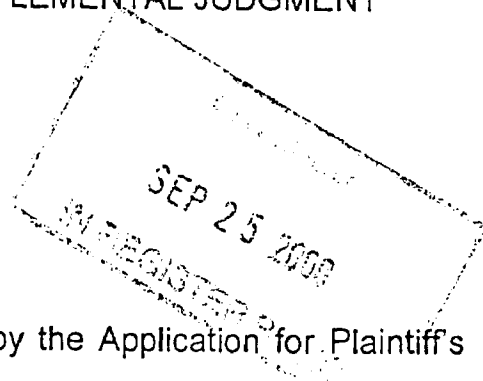
v.

RICHARD BERNARD RUBINSTEIN,

Defendant.

Case No. 9908-08731

SUPPLEMENTAL JUDGMENT



Based on plaintiff's Cost Bill, as supplemented by the Application for Plaintiff's Attorney Fees for Sanctions, the Court finds that no timely objections have been filed to plaintiff's Cost Bill, and the time for filing objections has passed, now, therefore, it is

ORDERED and ADJUDGED:

1. Plaintiff have and recover a Judgment against defendant the sum of \$2,332.13 for its costs and disbursements incurred herein; and

2. This Supplemental Judgment shall supplement and become a part of the

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Page 1 – SUPPLEMENTAL JUDGMENT

1 Judgment entered in this case on August 18, 2000.

2 DATED this 22nd day of September, 2000.

3 

4 Roosevelt Robinson
Circuit Court Judge

5 SUBMITTED BY:

6 SUSSMAN SHANK, LLP

7 By: 

8 John P. Davenport, OSB No. 75088
9 Attorney for Plaintiff

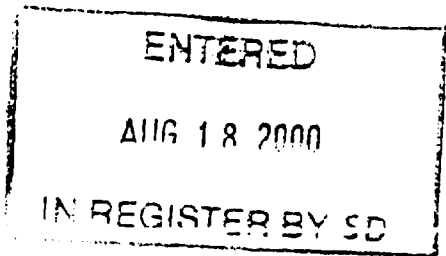
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Page 2 – SUPPLEMENTAL JUDGMENT

SUSSMAN SHANK WARNICK CAPLAN & STILES LLP
ATTORNEYS AT LAW
1000 SW BROADWAY, SUITE 1400
PORTLAND, OREGON 97205-3089
TELEPHONE (503) 227-1111

PATENT
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RECEIVED
CIRCUIT COURT

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

MARGER JOHNSON & McCOLLOM, an
Oregon professional corporation,

Plaintiff,

v.

RICHARD BERNARD RUBINSTEIN,

Defendant.

Case No. 9908-08731

JUDGMENT

This matter came on for trial on July 13, 2000 and trial was continued on July 19, 2000. Plaintiff appeared by and through Alex Johnson, its secretary-treasurer, and John P. Davenport, of its attorneys. Defendant appeared in person and by and through James Esterkin, his attorney. The court, having heard testimony of the witnesses, having considered the evidence submitted and having heard argument of counsel, makes the following:

FINDINGS:

1. The court finds in favor of plaintiff and against defendant.
2. Judgment should be entered in favor of plaintiff and against defendant for \$61,012.99, plus interest at nine percent (9%) per annum from August 1, 1999, until paid. The principal amount awarded represents total fees and costs earned of \$63,625.99, less \$2,613 billed during January 1997 for services rendered by Micah Stolowitz relating to potential Stellar Technologies financial backers.

Based on the above findings, it is hereby

Page 1 - JUDGMENT

ORDERED and ADJUDGED:

Plaintiff is awarded judgment against defendant for the principal sum of \$61,012.99, together with interest thereon at the rate of nine percent (9%) per annum from August 1, 1999, until paid, plus plaintiff's allowed costs and disbursements. The judgment shall bear interest at the rate of nine percent (9%) per year, until paid, and execution shall issue therefor.

MONEY JUDGMENT

Judgment Creditor(s):	Marger Johnson & McCollom, P.C. 1030 SW Morrison Street Portland, OR 97205
Attorney for Judgment Creditor(s):	John P. Davenport Sussman Shank Wapnick Caplan & Stiles LLP 1000 SW Broadway, Suite 1400 Portland, OR 97205 Telephone Number: 503-227-1111
Judgment Debtor:	Richard Bernard Rubinstein 1115 Laurent Santa Cruz, CA 95060 Date of Birth: Unknown Driver's license # and state: Unknown Social Security Number: Unknown
Attorney for Judgment Debtor:	James N. Esterkin
Others Entitled to Judgment Payment(s):	None known

AMOUNT OF JUDGMENT (AS OF 08/10/00): \$66,654.60

PRE-JUDGMENT INTEREST

Accrued through 08/01/99 to 08/10/00:	\$5,641.61
Per Diem Thereafter Until Date Judgment is Entered:	\$16.43
Interest Rate:	9%
Principal Balance Upon Which Interest Accrues:	\$61,012.99
Interest Start Date:	08/01/99
Interest Type:	Simple

Page 2 - JUDGMENT

1 POST-JUDGMENT INTEREST

2 Interest Rate: 9%
3 Balance Upon Which
Interest Accrues: \$66,654.60, plus amount allowed under
Cost Bill
4 Interest Start Date: Date of Judgment
Interest Type: Simple

5 COSTS AND DISBURSEMENTS:

To be Applied For

6 DATED this 16th day of August, 2000.

7 

8 Circuit Court Judge

9 SUBMITTED BY:

10 SUSSMAN, SHANK, WAPNICK, CAPLAN & STILES, LLP

11 By:

12 
John P. Davenport, OSB No. 75088
13 Attorney for Plaintiff

14 F:\CLIENTS\12388\005\IP-JUDGMENT2.DOC

1 RUTH ELIN AUERBACH (SBN 104191)
2 HAROLD B. AUERBACH (SBN 28004)
3 AUERBACH & ASSOCIATES
4 A Professional Law Corporation
5 353 Kearny St., 3rd Flr.
6 San Francisco, California 94108
7 Tel: 415/288-8590
8 Fax: 415/288-8591

9 Attorneys for Plaintiff,

FILED
NOV 27 2000

CHRISTINE PATTON, CLERK
BY VERONICA REMPILO
DEPUTY, SANTA CRUZ COUNTY

10 SUPERIOR COURT OF CALIFORNIA

11 COUNTY OF SANTA CRUZ

12 MARGER JOHNSON & McCOLLOM, PC,

NO. *CV 139759*

13 Plaintiff,

14 vs.

DECLARATION OF ALEX C. JOHNSON
JR., IN SUPPORT OF ISSUANCE OF
WRIT OF EXECUTION

15 RICHARD BERNARD RUBENSTEIN,

16 Defendant.

17 I, ALEX C. JOHNSON, JR., declare that:

18 1. I am the Secretary of MARGER JOHNSON & McCOLLOM, PC, the plaintiff in the
19 above-entitled action. I have personal knowledge of the matters set forth in this
20 declaration, and if sworn as a witness, I could and would testify competently as to the
21 matters set forth herein.

22 2. I am informed and believe and on that basis allege that the major asset of the
23 Judgment Debtor herein, Richard Bernard Rubenstein, is a portfolio of patents and patent
24 applications owned by him, or in which he has an interest, including but not limited to those
25 set forth on Attachment A hereto.

26 3. I am further informed and believe and on that basis allege that Mr. Rubenstein
27 may have assigned or transferred some portion of his rights to the assets, but that no
28 assignment has been recorded with the U.S. Patent Office, and is therefore unperfected
as to creditors.

Declaration of Alex C. Johnson, Jr.

-1-

PATENT
REEL: 011390 FRAME: 0739

1 4. Unless a writ of execution is issued immediately, without prior knowlege of these
2 enforcement proceedings to the defendant, there is a real danger that the debtor will have
3 the assignment perfected, and any ability to enforce this judgment against the assets will
4 be will be greatly impaired.

5 5. Even the debtor's inaction with respect to some of the pending patents could
6 result in abandonment of these assets, further impairing the value of these asset, thus
7 making immediate enforcement all the more vital to the judgment creditor's enforcement
8 rights.

9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct. Executed at Portland, Oregon, this 16th day of
11 November 2000.

12
13 
14 ALEX C. JOHNSON, JR.
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Declaration of Alex C. Johnson, Jr.

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Full Status Report

<u>Docket No.</u> <u>Client ref.</u>	<u>Case Type</u>	<u>Title/ Trademark</u>	<u>Country</u> <u>Appln No.</u> <u>Grant No.</u>	<u>Status</u> <u>Appln Date</u> <u>Grant Date</u>
8075-004	National Patent	SHARED, RECONFIGURABLE MEMORY ARCHITECTURES FOR DIGITAL SIGNAL PROCESSING	United States 08/821,326	3/21/1997 U.S. Pat. No. 5,933,855 8/3/99
8075-006	National Patent	MEMORY CENTRIC CONTROLLER	United States 08/869,277	6/4/1997
8075-008	National Patent	SHARED, RECONFIGURABLE CACHE MEMORY EXECUTION SUBSYSTEM	United States 08/851,771	5/6/1997
8075-009	National Patent	PROCESSOR INTERFACING TO MEMORY-CENTRIC COMPUTING ENGINE	United States 08/869,148	6/4/1997

<u>Docket No.</u>	<u>Case Type</u>	<u>Title/ Trademark</u>	<u>Country</u>	<u>Status</u>
<u>Client ref.</u>			<u>Appln No.</u>	<u>Appln Date</u>
			<u>Grant No.</u>	<u>Grant Date</u>

FIFO MEMORY

Provisional
Application

8075-018

United States
60/058,767

9/12/1997

PCT Application

FIFO MEMORY DEVICE USING
SHARED RECONFIGURABLE
MEMORY BLOCK

8075-018

PCT
PCT/US98/19115

9/11/1998

Provisional
Application

MEMORY CENTRIC PROCESSING
APPARATUS

8075-019

United States
60/059,808

Abandoned
9/24/1997

Provisional
Application

INTEGRATED RAM AND DSP
ARCHITECTURE

8075-020

United States
60/062,431

Abandoned
10/16/1997

<u>Docket No.</u> <u>Client ref.</u>	<u>Case Type</u>	<u>Title/ Trademark</u>	<u>Country</u> <u>Appln No.</u> <u>Grant No.</u>	<u>Status</u> <u>Appln Date</u> <u>Grant Date</u>
8075-020	Continuation-in-Part	A TIGHTLY COUPLED AND SCALABLE MEMORY AND EXECUTION UNIT ARCHITECTURE	United States 09/174,057	10/16/1998
8075-023	Provisional Application	DSP EXECUTION UNIT	United States 60/066,154	11/19/1997
8075-023	National Patent	A MEMORY INTEGRATED EXECUTION UNIT ARCHITECTURE	United States 09/195,564	11/18/1998
8075-024	Provisional Application	MEMORY INTEGRATED DSP EXECUTION UNIT	United States 60/072,501	1/26/1998
8075-025	PCT Application	RECONFIGURABLE MEMORY ARCHITECTURES FOR DIGITAL SIGNAL PROCESSING	PCT PCT/US98/05666	3/19/1998
8075-026	Provisional Application	ARCHITECTURE FOR GRAPHICS PROCESSING	United States 60/081,266	4/8/1998

<u>Docket No.</u> <u>Client ref.</u>	<u>Case Type</u>	<u>Title/ Trademark</u>	<u>Country</u> <u>Appln No.</u> <u>Grant No.</u>	<u>Status</u> <u>Appln Date</u> <u>Grant Date</u>
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8075-028	Provisional Application	IMPLEMENTATION OF MEMORY CONCENTRIC CORE AND DATA PATH	United States 60/083,300	4/28/1998
8075-030	PCT Application	SHARED, RECONFIGURABLE CACHE MEMORY EXECUTION SUBSYSTEM	PCT PCT/US98/10065	5/15/1998
8075-031	PCT Application	PROCESSOR INTERFACING TO MEMORY-CENTRIC COMPUTING ENGINE	PCT PCT/US98/10549	5/22/1998

O.R.S. § 82.010

1999 OREGON REVISED STATUTES
TITLE 8. COMMERCIAL
TRANSACTIONS
CHAPTER 82. INTEREST;
REPAYMENT RESTRICTIONS
INTEREST

Current through End of 1999 Reg. Sess.

82.010. Legal rate of **interest**.

(1) The rate of **interest** for the following transactions, if the parties have not otherwise agreed to a rate of **interest**, is nine percent per annum and is payable on:

(a) All moneys after they become due; but open accounts bear **interest** from the date of the last item thereof.

(b) Money received to the use of another and retained beyond a reasonable time without the owner's express or implied consent.

(c) Money due or to become due where there is a contract to pay **interest** and no rate specified.

(2) Except as provided in this subsection, the rate of **interest** on **judgments** for the payment of money is nine percent per annum. The following apply as described:

(a) **Interest** on a **judgment** under this subsection accrues from the date of the entry of the **judgment** unless the **judgment** specifies another date.

(b) **Interest** on a **judgment** under this subsection is simple **interest**, unless otherwise provided by contract.

(c) **Interest** accruing from the date of the entry of a **judgment** shall also accrue on **interest** that accrued before the date of entry of a **judgment**.

(d) **Interest** under this subsection shall also

accrue on attorney fees and costs entered as part of the **judgment**.

(e) A **judgment** on a contract bearing more than nine percent **interest** shall bear **interest** at the same rate provided in the contract as of the date of entry of the **judgment**.

(3) Except as provided in ORS 82.025, no person shall:

(a) Make a business or agricultural loan of \$50,000 or less at an annual rate of **interest** exceeding the greater of 12 percent, or five percent in excess of the discount rate, including any surcharge on the discount rate, on 90-day commercial paper in effect at the Federal Reserve Bank in the Federal Reserve district where the person making the loan is located, on the date the loan or the initial advance of funds under the loan is made; or

(b) Make a loan of \$50,000 or less, except a loan made under paragraph (a) of this subsection, at an annual rate of **interest** exceeding the greater of 12 percent, or five percent in excess of the discount rate on 90-day commercial paper in effect at the Federal Reserve Bank in the Federal Reserve district where the person making the loan is located, on the date the loan or the initial advance of funds under the loan is made.

*6700 (4) Any person who violates subsection (3) of this section shall forfeit the right to collect or receive any **interest** upon any loan for which a greater rate of **interest** or consideration than is permitted by subsection (3) of this section has been charged, contracted for or received. The borrower upon such loan shall be required to repay only the principal amount borrowed.

(Amended by 1959 c. 365 § a; 1973 c. 198 § 1; 1975 c. 61 § 1; 1977 c. 791 § 1; 1979 c. 655 § 1; 1979 c. 794 § 1; 1981 c. 412 § 1; 1987 c. 215 § 18; 1987 c. 873 § 26)

<General Materials (GM) - References, Annotations, or Tables>

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