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09/072,681

Patent Number(s)

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NICK A. NICHOLS, JR.

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Nick A. Nichols Jr.

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1-12-01

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A S S I G N M E N T

WHEREAS, I, KENNETH W. STEARNS, am a joint inventor and a joint owner of the invention titled EXERCISE APPARATUS, for which a U.S. application for patent was filed on May 5, 1998, application Serial No. 09/072,681; and

WHEREAS, STEARNS TECHNOLOGIES ^{THREE L.P.}, a Texas limited liability corporation, whose post office address is P.O. Box 55512 HOUSTON, TEXAS 77255, is desirous of acquiring my entire right, title and interest in and to the aforesaid invention, and in and to said application and any divisional, continuing or reissue application describing said invention, throughout the world, and my entire right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

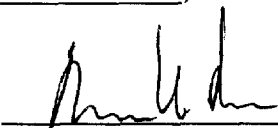
NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) to me in hand paid by STEARNS TECHNOLOGIES ^{THREE L.P.} (hereinafter referred to as "Assignee"), and for other good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over to Assignee my entire right, title and interest in and to said invention throughout the world, and said application for United States Letters Patent and any and all divisions, continuations and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by said Assignee for its own use and enjoyment and for the use and enjoyment of its successors, assigns, or other legal representatives to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

I hereby authorize and request the Commissioner of Patents to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof to said Assignee of the entire interest, and hereby covenant that I have the full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith.

I further covenant and agree that I will, at any time, upon request, promptly execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor to said Assignee, its successors, assigns or other legal representatives; and that if said Assignee, its successors, assigns or other legal representatives shall desire to file any divisional or continuation application, or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, I will, upon request, sign all papers, make all rightful oaths, and do all lawful acts requisite for the filing of such disclaimer without further compensation, but at the expense of said Assignee, its successors or other legal representatives.

I do further covenant and agree that I will, at any time, upon request, promptly communicate to said Assignee, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and to willingly testify as to the same in any interference or other litigation when requested to do so.

EXECUTED this 23 day of July, 1998.



KENNETH W. STEARNS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, personally appeared, KENNETH W. STEARNS known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE on this _____ day of _____, 1998.

Notary Public in and for the State of California
My Commission Expires:

Printed or stamped name of notary.