

PATENTS ONLY



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

1. Name of conveying party(ies):
Larry J. Brackney

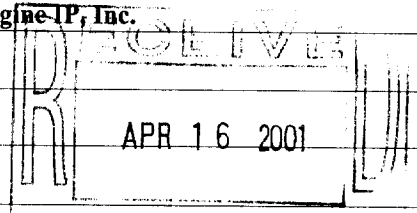
4.16.01

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

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

Name: **Cummins Engine IP, Inc.**

Internal Address:



Street Address: **1400 73rd Street NE**

City: **Minneapolis** State: **MN** ZIP: **55432**

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

3. Nature of conveyance:

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

Execution Date: **April 4, 2001**

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)

09/774,987

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: **Jeffrey A. Michael**

Internal Address: **BARNES & THORNBURG**

Street Address: **11 South Meridian Street**

City: **Indianapolis** State: **IN** ZIP: **46204**

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:

10-0435

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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.

Jeffrey A. Michael

Name of Person Signing

Signature

APRIL 13, 2001

Date

Total number of pages including cover sheet, attachments, and documents **3**

ASSIGNMENT

WHEREAS, Larry J. Brackney of 1949 Jolinda Drive, Columbus, Indiana 47203, respectively hereinafter to as Assignor, has made a new and useful invention in SYSTEM FOR CONTROLLING ENGINE EXHAUST TEMPERATURE for which Assignor has made or will make application for Letters Patent of the United States; and

WHEREAS, Cummins Engine IP, Inc., hereinafter referred to as Assignee, a corporation of the State of Indiana having a principal place of business at 1400 73rd Avenue NE, Minneapolis, MN 55432 desires to acquire all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application, and in, to an under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW THEREFORE, to all whom it may concern, be it known that for an in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignor in hand paid the receipt of which is hereby acknowledged, Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer unto Assignee, all the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent executed by Assignor this _____ day of _____, 20 __, and any and all other application thereon and arising therefrom, including any and all divisions and continuations thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignor hereby authorizes and requests the firm of Barnes & Thornburg, to insert here in parenthesis (Serial No. 09/774,987, Filed January 31, 2001) the date and serial number of said application when officially known, and Assignor hereby authorizes and requests the Honorable Assistant Secretary and Commissioner of Patents and Trademarks to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignor agrees to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said invention in this and all foreign countries for the use of Assignee.

WITNESS Assignor's hand this 4th day of April, 20 01.

Larry J. Brackney
Larry J. Brackney

STATE OF INDIANA)
)SS:
COUNTY OF MARION)

Before me, a Notary Public, in and for said County and State, personally appeared the above-named Assignor, to me personally known, and who executed to foregoing Assignment in my presence and acknowledged the execution thereof as his free and voluntary act and deed for the uses and purposes therein set forth and expressed.

Jeffrey A. Michael
Notary Public

Printed: JEFFREY A. MICHAEL
My Commission Expires: JUNE 25, 2008
Resident of MARION County