

4/23/01

Docket No.: 50060-00040

FORM PTO-1595 (Modified)  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)  
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P08A/REV02

RECORDATION FORM COVER SHEET

05-02-2001

PATENTS ONLY

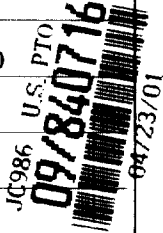


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To the Honorable Commissioner of Patents and Trademarks: Please record the attestation

101698986

1. Name of conveying party(ies):  
**M. STEVEN RODGERS**  
**JEFFRY J. SNIEGOWSKI**  
  
Additional names(s) of conveying party(ies)  Yes  No

2. Name and address of receiving party(ies):  
  
Name: MEMX, INC.  
Address: 5600 WYOMING BLVD. NE, SUITE 20  
  
City: ALBUQUERQUE State/Prov.: NM  
Country: USA ZIP: 87109  
  
Additional name(s) & address(es)  Yes  No



3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other  
  
Execution Date: APRIL 23, 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: APRIL 23, 2001  
  
Patent Application No. NOT YET ASSIGNED Filing date APRIL 23, 2001  
  
B. Patent No.(s) 09/840716  
  
Additional numbers  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
  
Name: JAMES L. JOHNSON  
Registration No. 34,193  
Address: MARSH FISCHMANN & BREYFOGLE LLP  
3151 SOUTH VAUGHN WAY, #411  
  
City: AURORA State/Prov.: CO  
Country: USA ZIP: 80014

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:  
50-1419

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.*  
  
JAMES L. JOHNSON 4/23/01  
Name of Person Signing Signature Date  
**4**  
Total number of pages including cover sheet, attachments, and

<b>Assignment of Rights, Title and Interest in Invention (Multiple inventors; single assignee)</b>	Docket No. <b>50060-00040</b>
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*This is an Assignment of the following rights, title and interest: (check all that apply):*

- United States of America rights, title and interest in the invention*
- Foreign rights, title and interest in the invention*
- United States Patent Application Serial No. NOT YET ASSIGNED*

*Date of Execution: EVEN DATE HEREWITH Date of Filing: EVEN DATE HEREWITH*

- United States Provisional Patent Application Serial No. \_\_\_\_\_*
- United States Patent No(s). \_\_\_\_\_*
- International (PCT) Patent Application Serial No. \_\_\_\_\_*
- Other (specify) \_\_\_\_\_*

*Title of the Invention*

METHOD FOR MAKING A MICROSTRUCTURE BY SURFACE MICROMACHINING

*Inventors (assignors)*

<i>Name</i>	<i>Address</i>
M. STEVEN RODGERS	12216 PAPAYA CT. NE, ALBUQUERQUE, NM 87111
JEFFRY J. SNIEGOWSKI	67 CACTUS RANCH ROAD, EDGEWOOD, NM 87015

*Assignee*

<i>Name</i>	<i>Address</i>
MEMX, INC.	5600 WYOMING BLVD. NE, SUITE 20, ALBUQUERQUE, NM 87109

**Assignment of Rights, Title and Interest in Invention  
(Multiple inventors; single assignee)**

Docket No.  
50060-00048

*Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");*

*And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;*

*Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;*

*We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;*

*And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;*

*And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.*

*Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)*

Name	Signature/Date
M. STEVEN RODGERS	
JEFFRY J. SNIEGOWSKI	

Assignment of Rights, Title and Interest in Invention  
(Multiple inventors; single assignee)

Docket No.  
50060-00040

**Notarization**

(Although notarization is not necessary, it will be considered prima facie evidence of execution pursuant to 35 U.S.C. 261.)

Executed this 23 day of APRIL, in the year 2001

at

*M. Steven Rodgers*  
(Signature of Inventor)

State of New Mexico  
County of Bernalillo

Before me personally appeared M. STEVEN RODGERS who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this 23 day of April, in the year 2001

*[Signature]*  
(Notary Public) Aug 2003

Executed this 23 day of APRIL, in the year 2001

at

*Jeffrey J. Sniegowski*  
(Signature of Inventor)

State of New Mexico  
County of Bernalillo

Before me personally appeared JEFFRY J. SNIEGOWSKI who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this 23 day of April, in the year 2001

*[Signature]*  
(Notary Public) Aug 2003

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

at

\_\_\_\_\_  
(Signature of Inventor)

State of \_\_\_\_\_  
County of \_\_\_\_\_

Before me personally appeared \_\_\_\_\_ who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

Approved for use through 9/30/2000. GMS 0881-0031  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**

Docket Number (Optional)  
50060-00040

Applicant, Patentee, or Identifier: SNIEGOWSKI ET AL.  
Application or Patent No.: NOT YET ASSIGNED  
Filed or Issued: APRIL 23, 2001  
Title: METHOD FOR MAKING A MICROSTRUCTURE BY SURFACE MICROMACHING

I hereby state that I am

- the owner of the small business concern identified below.
- an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN MEMX, INC.

ADDRESS OF SMALL BUSINESS CONCERN 5600 WYOMING BLVD. NE, SUITE 20, ALBUQUERQUE, NM  
87109

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- the specification filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.
- each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance

NAME OF PERSON SIGNING Michael D. McIntosh

TITLE OF PERSON IF OTHER THAN OWNER CEO, Memx, Inc

ADDRESS OF PERSON SIGNING 5600 WYOMING BLVD. NE, SUITE 20, ALBUQUERQUE, NM 87109

SIGNATURE [Signature] DATE 23 April 01

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**(Multiple inventors; single assignee)**

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- United States Provisional Patent Application Serial No. \_\_\_\_\_*
- United States Patent No(s). \_\_\_\_\_*
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**Assignee**

<i>Name</i>	<i>Address</i>
MEMX, INC.	5600 WYOMING BLVD. NE, SUITE 20, ALBUQUERQUE, NM 87109

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(Multiple inventors; single assignee)**

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And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;

Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;

We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

*Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)*

Name	Signature/Date
M. STEVEN RODGERS	
JEFFRY J. SNEGOWSKI	

Assignment of Rights, Title and Interest in Invention  
(Multiple inventors; single assignee)

Docket No.  
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(Although notarization is not necessary, it will be considered prima facie evidence of execution pursuant to 35 U.S.C. 261.)

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at

State of New Mexico  
County of Bernalillo

*M. Steven Rodgers*  
(Signature of Inventor)

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*[Signature]*  
(Notary Public) Aug 2003

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at

State of New Mexico  
County of Bernalillo

*Jeffrey J. Sniegowski*  
(Signature of Inventor)

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*[Signature]*  
(Notary Public) Aug 2003

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

at

State of \_\_\_\_\_  
County of \_\_\_\_\_

\_\_\_\_\_  
(Signature of Inventor)

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\_\_\_\_\_  
(Notary Public)