

05-24-2001

Docket No.: A0105A

FORM PTO-1595 (Modified)
(Rev. 6-93)
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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings

5-15-01

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

1. Name of conveying party(ies):

MICHAEL D. JENKINS
JOHN F. MOYNAHAN

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

Name: XYBERNAUT CORPORATION

Internal Address: HYATT PLAZA, SUITE 550

Street Address: 12701 FAIR LAKES CIRCLE

City: FAIRFAX

State: VA

ZIP: 22033

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

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: MAY 9, 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: MAY 15, 2001

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:

Name: JAMES J. RALABATE

Internal Address:

Street Address: 5792 MAIN STREET

City: WILLIAMSVILLE State: NY ZIP: 14221

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:

18-0080

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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.

JAMES J. RALABATE

MAY 15, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

2

PATENT

REEL: 011819 FRAME: 0422

JC978 U.S. PTO
09/058082
05/15/01

ASSIGNMENT

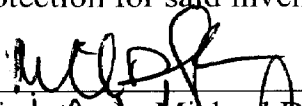
Whereas, we, MICHAEL D. JENKINS, residing at 6507 Burke Woods Drive, Burke, Virginia 22015 and JOHN F. MOYNAHAN, residing at 12302 Blair Ridge Road, Fairfax, VA 22033, having invented certain new and useful Improvements in the **PERSONAL COMMUNICATOR**, for which an application for United States Letters Patent was executed on _____, further identified as Docket No. X0105A and,

Whereas, XYBERNAUT CORPORATION, a Delaware Corporation, having a place of business at 12701 Fair Lakes Circle, Suite 550, Fairfax, Virginia, 22033, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries;

Now, Therefore, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, the receipt whereof is hereby acknowledged, and other good and valuable consideration, we, MICHAEL D. JENKINS and JOHN F. MOYNAHAN, have sold, assigned and transferred and by these presents do sell, assign and transfer unto the said XYBERNAUT CORPORATION the full and exclusive right to the invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations and extensions thereof.

We hereby authorize and request the Patent and Trademark Office Officials in the United States and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said XYBERNAUT CORPORATION, as the assignee of our entire right, title and interest in and to the same, for the sole use and enjoyment of said XYBERNAUT CORPORATION, its successors and assigns.

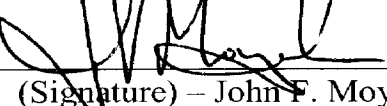
Further, we agree that we will communicate to said XYBERNAUT CORPORATION, or its representatives any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisions, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to said XYBERNAUT CORPORATION, to make all rightful oaths and generally do everything necessary or desirable to aid said XYBERNAUT CORPORATION, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.



(Signature) - Michael D. Jenkins

May 9, 2001

(Date)



(Signature) - John F. Moynahan

May 9, 2001

(Date)

State of Virginia)
County of Fairfax)

On this 9th day of May, 2001 before me personally appeared Michael D. Jenkins and John F. Moynahan, to me known and known to me to be the same person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same.



(Notary Public)

My commission expires: 7-31-03