

07-03-2001



HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings

To the Honorable Commissioner of I

101766652

the attached original documents or copy thereof.

1. Name of conveying party(ies):
Alyn Corporation

6-75-01

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

Name: **Millennium Materials, Inc.**

Internal Address:

Street Address: **642 Barbrow Lane**

City: **Knoxville**

State: **TN**

ZIP: **37932**

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 **Bankruptcy Court Order (Case #SA00-15911-LR)**

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:

A. Patent Application No.(s)

B. Patent No.(s)

5,712,014
5,895,696
5,948,495

Additional numbers attached? Yes No

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

Name: **Christine L. Wettach**

Internal Address: **Cohen & Grigsby, P.C.**

Street Address: **11 Stanwix Street, 15th Floor**

City: **Pittsburgh**

State: **PA**

ZIP: **15222**

6. Total number of applications and patents involved: **3**

7. Total fee (37 CFR 3.41):.....\$ **120.00**

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number:

03-2026

DO NOT USE THIS SPACE

07/03/2001 TDIAZ1 00000044 5712014

09. Statement and signature. 120.00 OP

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.

Christine L. Wettach

June 25, 2001

Name of Person Signing

Signature

20

Date

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

20

1 Nanette D. Sanders (State Bar No. 120169)
2 Sarah E. Petty (State Bar No. 173871)
3 SNELL & WILMER L.L.P.
4 1920 Main Street, Suite 1200
Irvine, CA 92614-7060
Telephone: (949) 253-2700
Facsimile: (949) 955-2507

FILED
COPY
APR 20 2001
CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY Deputy Clerk

5 Attorneys for James J. Joseph, Chapter 7 Trustee

ENTERED
APR 23 2001
CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY Deputy Clerk

8 **UNITED STATES BANKRUPTCY COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**

10
11 In re:
12 ALYN CORPORATION,
13 Debtor.

CASE No. SA 00-15911-LR

Chapter 7 Proceeding

**ORDER GRANTING CHAPTER 7
TRUSTEE'S MOTION TO SELL PERSONAL
PROPERTY OF THE BANKRUPTCY
ESTATE FREE AND CLEAR OF LIENS,
SHOULD ANY EXIST, PURSUANT TO
BANKRUPTCY CODE SECTIONS 363(B)(1)
AND APPROVING SALE**

[INTELLECTUAL PROPERTY]

Hearing:

Date: April 10, 2001

Time: 10:30 a.m.

Ctrm: 5D

Ronald Reagan Federal Building
and United States Courthouse,
411 West Fourth Street,
Santa Ana, CA 92701-8000

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24 The hearing on the Motion To Sell Personal Property Of The Bankruptcy Estate Free And
25 Clear Of Liens, Should Any Exist, Pursuant To Bankruptcy Code Sections 363(B)(1) (the
26 "Motion") filed by James J. Joseph, Chapter 7 Trustee for the bankruptcy estate of Alyn
27 Corporation (the "Debtor"), came on for hearing before the Honorable Lynne Riddle, United
28 States Bankruptcy Judge, on April 10, 2001 at 10:30 a.m. in the above-entitled Court. Nanette D.

1 Sanders of Snell & Wilmer, L.L.P. appeared on behalf of the Trustee, who was also present. Sam
2 C. Weaver of Millennium Materials and Gregory F. Wesner of Christensen, O'Connor, Johnson
3 & Kindness appeared to bid on the Debtor's Intellectual Property pursuant to the terms of the
4 Motion.

5 The Court having read and considered the Motion, the accompanying declarations of
6 James J. Joseph and Sarah E. Petty in support of the Motion, the pleadings and documents on
7 file therein, finding that proper and adequate notice of the hearing on the Motion has been
8 provided, the Trustee having recommended that he be authorized to accept the bids in open
9 Court as set forth below, and good cause appearing therefor:

10
11 **HEREBY ORDERS, ADJUDGES, AND DECREES THAT:**

- 12
- 13 1. The Motion is granted;
 - 14 2. The sale of Groups I and III of the Debtor's Intellectual Property, as identified
15 in Exhibit "1" hereto, free and clear of liens, claims, rights, or interests of any parties to
16 Transnucleaire, S.A. (located at 9/11 Rue Christophe Colombe, 75008 Paris, France) for the
17 sum of \$45,000.00, which amount was received by the Trustee at the hearing, is confirmed.
 - 18 3. The sale of Group II of the Debtor's Intellectual Property, as identified in
19 Exhibit "1" hereto, free and clear of liens, claims, rights, or interests of any parties to
20 Millennium Materials or its agents and/or assigns for the sum of \$5,000.00, which amount
21 was received by the Trustee at the hearing, is confirmed.

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1 4. The Trustee is authorized to execute any and all documents necessary to
2 effectuate the foregoing sales without further order of this Court.

3
4 DATED: APR 20 2001

Hon. Lynne Riddle

THE HONORABLE LYNNE RIDDLE
United States Bankruptcy Judge

5
6
7 Presented by:
8 SNELL & WILMER, L.L.P.

9 By *Sarah E. Petty*
10 Nanette D. Sanders
11 Sarah E. Petty
12 Attorneys for James J. Joseph,
13 Chapter 7 Trustee

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Snell & Wilmer
LAW OFFICES
1920 Main Street, Suite 1200
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ALYN CORPORATIONU.S. AND FOREIGN PATENTS AND PATENT APPLICATIONS

I. The following patents and applications relate to a metal matrix composite material which uses boron carbide or the like as a ceramic additive to aluminum or other base metal. The patents also concern methods of making the material and fabricating the material into useful shapes. The material has been sold under the trademark BORALYN:

U.S. METAL MATRIX COMPOSITIONS AND METHOD OF MANUFACTURING THEREOF

- SN 08/183,728
- filed 01/19/94
- USP 5,486,223
- issued 1/23/96

U.S. METAL MATRIX COMPOSITIONS AND METHOD OF MANUFACTURING THEREOF

(DIV of SN 08/183,728)

- SN 08/536,695
- filed 09/29/95
- USP 5,669,059
- issued 9/16/97

U.S. METAL MATRIX COMPOSITIONS AND METHOD OF MANUFACTURING THEREOF

(DIV of SN 08/183,728)

- SN 08/537,269
- filed 09/29/95
- USP 5,613,189
- issued 3/18/97

U.S. METAL MATRIX COMPOSITE
(CIP of SN 08/536,695)

- SN 08/836,010
- filed 05/06/97
- USP 5,980,602
- issued 11/09/99

U.S. IMPROVED METAL MATRIX COMPOSITE
 (CIP of SN 08/836,010)
 - SN 09/436,801
 - filed 11/8/99
 - under examination

PCT IMPROVED METAL MATRIX COMPOSITE
 (CIP of SN 08/536,695)
 - SN PCT/US96/06176
 - priority date 09/29/95
 - national stage has been entered

CANADA IMPROVED METAL MATRIX COMPOSITE
 - SN 2,205,967
 - priority date 09/29/95
 - request for examination to be made by
 05/02/03

EPO IMPROVED METAL MATRIX COMPOSITE
 - SN 96916438.3
 - priority date 09/29/95
 - request for examination made

JAPAN IMPROVED METAL MATRIX COMPOSITE
 - SN 515019/97
 - priority date 09/29/95
 - request for examination to be made by
 5/2/03

MEXICO IMPROVED METAL MATRIX COMPOSITE
 - SN 973945
 - filed 05/28/97
 - allowed

U.S. FABRICATION METHODS FOR METAL MATRIX COMPOSITES
 - SN 08/674,166
 - filed 07/01/96
 - USP 5,722,033
 - issued 02/24/98

U.S. SOLUBLE CORE METHOD OF MANUFACTURING METAL AND/OR
METAL MATRIX COMPOSITES
(FWC of SN 08/674,167)
- SN 08/937,214
- filed 09/18/97
- USP 5,921,312
- issued 07/13/99

U.S. SOLUBLE CORE METHOD OF MANUFACTURING METAL AND/OR
METAL MATRIX COMPOSITES
(DIV of SN 08/674,167)
- SN 08/826,551
- filed 04/04/97
- USP 5,803,151
- issued 09/08/98

PCT SOLUBLE CORE METHOD OF MANUFACTURING METAL
AND/OR METAL MATRIX COMPOSITES
(corresponds to SN 08/674,167)
- SN PCT/US97/09354
- priority date 07/01/96
- national stage has been entered

CANADA SOLUBLE CORE METHOD OF MANUFACTURING METAL
AND/OR METAL MATRIX COMPOSITES
- SN 2259446
- priority date 07/01/96
- request for examination to be made by
5/21/02

EPO SOLUBLE CORE METHOD OF MANUFACTURING METAL
AND/OR METAL MATRIX COMPOSITES
- SN 97926839.8
- priority date 07/01/96
- examination requested

HONG KONG SOLUBLE CORE METHOD OF MANUFACTURING METAL
AND/OR METAL MATRIX COMPOSITES
- SN 99105197.2
- priority date 07/01/96

- JAPAN SOLUBLE CORE METHOD OF MANUFACTURING METAL AND/OR METAL MATRIX COMPOSITES
 - SN 504120/98
 - priority date 07/01/96
 - request for examination to be made by 5/21/04
- MEXICO SOLUBLE CORE METHOD OF MANUFACTURING METAL AND/OR METAL MATRIX COMPOSITES
 - SN 990272
 - priority date 07/01/96

- U.S. PROCESS AND APPARATUS FOR DIE CASTING OF METAL MATRIX COMPOSITE MATERIALS FROM A SELF SUPPORTING BILLET
 - SN 08/834,726
 - filed 04/01/97
 - USP 5,865,238
 - issued 02/02/99

- U.S. PROCESS AND APPARATUS FOR DIE CASTING OF METAL MATRIX COMPOSITE MATERIALS FROM A SELF SUPPORTING BILLET
 - (DIV of SN 08/834,726)
 - SN 09/241,020
 - filed 02/01/99
 - USP 6,098,700
 - issued 08/08/00

II. The following patents and applications relate to the use of a metal matrix composite material for magnetic disks, for example, the type used as hard drives in computers. The patents also concern methods of making the magnetic disks:

- U.S. METAL MATRIX COMPOSITIONS FOR SUBSTRATES USED TO MAKE MAGNETIC DISKS FOR HARD DISK DRIVES
 - SN 08/674,140
 - filed 07/01/96
 - USP 5,712,014 ✓
 - issued 1/27/98

U.S. METAL-CLAD CERAMIC-METAL MATRIX COMPOSITES FOR
MAGNETIC DISK SUBSTRATES FOR HARD DISK DRIVES
(CIP of SN 08/674,140)
- SN 08/791,231 831
- filed 01/30/97
- USP 5,895,696
- issued 4/20/99

U.S. CERAMIC-METAL MATRIX COMPOSITES FOR MAGNETIC DISK
SUBSTRATES FOR HARD DISK DRIVES
(CIP of SN 08/674,140)
- SN 08/795,384
- filed 03/04/97
- USP 5,948,495
- issued 09/07/99

U.S. METAL-CLAD METAL MATRIX COMPOSITE MAGNETIC DISK
SUBSTRATES
(CIP of SN 08/791,831)
- SN 09/167,233
- filed 10/06/98
- abandoned but could possibly be revived

U.S. METAL-CLAD METAL MATRIX COMPOSITES FOR DISK
SUBSTRATES FOR MAGNETIC HARD DISKS
(CIP of SN 08/791,831)
- SN 09/187,886
- filed 11/06/98
- under examination

U.S. METAL-CLAD CERAMIC-METAL MATRIX COMPOSITES FOR
MAGNETIC DISK SUBSTRATES FOR HARD DISK DRIVES
(DIV of SN 08/791,831)
- SN 09/295,810
- filed 04/20/99
- abandoned but could possibly be revived

PCT METAL MATRIX COMPOSITIONS FOR SUBSTRATES USED
TO MAKE MAGNETIC DISKS FOR HARD DISK DRIVES
(corresponds to SN 08/674,140, 08/791.931, 08/795,384)
- SN PCT/US97/09399
- priority date 07/01/96
- national stage has been entered

CANADA METAL MATRIX COMPOSITIONS FOR SUBSTRATES USED
TO MAKE MAGNETIC DISKS FOR HARD DISK DRIVES
- SN 2259483
- priority date 07/01/96
- request for examination to be made by
5/21/02

EPO METAL MATRIX COMPOSITIONS FOR SUBSTRATES USED
TO MAKE MAGNETIC DISKS FOR HARD DISK DRIVES
- SN 97928764.6
- priority date 07/01/96
- examination requested

JAPAN METAL MATRIX COMPOSITIONS FOR SUBSTRATES USED
TO MAKE MAGNETIC DISKS FOR HARD DISK DRIVES
- SN 504124/98
- priority date 07/01/96
- request for examination to be made by
5/21/04

HONG KONG METAL MATRIX COMPOSITIONS FOR SUBSTRATES USED
TO MAKE MAGNETIC DISKS FOR HARD DISK DRIVES
- SN 99105198.1
- priority date 07/01/96

MEXICO METAL MATRIX COMPOSITIONS FOR SUBSTRATES USED
TO MAKE MAGNETIC DISKS FOR HARD DISK DRIVES
- SN 990253
- priority date 07/01/96

EXHIBIT 1
PATENT 9

III. The following patents and applications relate to the use of a metal matrix composite material for neutron shielding, for example, as a structural material in a nuclear reactor:

U.S. METAL MATRIX COMPOSITIONS FOR NEUTRON SHIELDING APPLICATIONS

- SN 08/674,209
- filed 07/01/96
- USP 5,700,962
- issued 12/23/97

PCT METAL MATRIX COMPOSITIONS FOR NEUTRON SHIELDING APPLICATIONS

(corresponds to SN 08/674,209)

- SN PCT/US97/09360
- priority date 07/01/96
- national stage has been entered

CANADA METAL MATRIX COMPOSITIONS FOR NEUTRON SHIELDING APPLICATIONS

- SN 2259448
- priority date 07/01/96
- request for examination to be made by 5/21/02

EPO METAL MATRIX COMPOSITIONS FOR NEUTRON SHIELDING APPLICATIONS

- SN 97928746.3
- priority date 07/01/96
- examination requested

HONG KONG METAL MATRIX COMPOSITIONS FOR NEUTRON SHIELDING APPLICATIONS

- SN 99105102.6
- priority date 07/01/96

JAPAN

METAL MATRIX COMPOSITIONS FOR NEUTRON
SHIELDING APPLICATIONS

- SN 504123/98
- priority date 07/01/96
- request for examination to be made by
5/21/04

MEXICO

METAL MATRIX COMPOSITIONS FOR NEUTRON
SHIELDING APPLICATIONS

- SN 990271
- priority date 07/01/96

ALYN CORPORATION
U.S. AND FOREIGN TRADEMARK APPLICATIONS AND REGISTRATIONS

<u>Country</u>	<u>Mark</u>	<u>App. No.</u>	<u>App. Date</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
U.S.	BORALYN			1839221	6/14/94
CANADA	BORALYN	812023	5/7/96		
EEC	BORALYN			272922	8/31/98
JAPAN	BORALYN			4067534	10/9/97
MEXICO	BORALYN			527591	7/30/96
TAIWAN	BORALYN	(85) 39664	8/8/96	784542	11/16/97
U.S.	CERALYN			2,097,097	9/16/97
U.S.	ALYN & Design			2,135,049	2/3/98
U.S.	ALYNCAST	75/499,713	6/9/98		
U.S.	ALYNCORE	75/499,714	6/9/98		

EXHIBIT 1
Page 9 of 9
PATENT

PROOF OF SERVICE BY ALL OPTIONS

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 1920 Main Street, Suite 1200, Irvine, CA 92614-7060.


On April 19, 2001, I served, in the manner indicated below, the foregoing document described as **ORDER GRANTING CHAPTER 7 TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY OF THE BANKRUPTCY ESTATE FREE AND CLEAR OF LIENS, SHOULD ANY EXIST, PURCUANT TO BANKRUPTCY CODE SECTIONS 363(B)(1) AND APPROVING SALE [INTELLECTUAL PROPERTY]** on the interested parties in this action by placing true copies thereof, enclosed in sealed envelopes, at Irvine, addressed as follows:

SEE ATTACHED SERVICE LIST

- BY REGULAR MAIL: I caused such envelopes to be deposited in the United States mail at Irvine, California, with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the United States Postal Service each day and that practice was followed in the ordinary course of business for the service herein attested to (C.C.P. § 1013(a)).
- BY FACSIMILE: (C.C.P. § 1013(e)(f)).
- BY FEDERAL EXPRESS: I caused such envelopes to be delivered by air courier, with next day service, to the offices of the addressees. (C.C.P. § 1013(c)(d)).
- BY PERSONAL SERVICE: I caused such envelopes to be delivered by hand to the offices of the addressees. (C.C.P. § 1011(a)(b)).

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 19, 2001, at Irvine, California.



Carolyn L. Hayley

Snell & Gilmer
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(949) 253-2700

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and United States Courthouse
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Santa Ana, CA 92701-8000

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Fleming US Discovery Fund III
Fleming US Discovery Offshore Fund
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New York, NY 10036

Gregory F Wesner
Christensen O'Connor
1420 Fifth Ave Ste 2800
Seattle WA 98101-2347

Sam C Weaver
Millennium Materials Inc
642 Barbrow Lane
Knoxville TN 37932

In re:	(Short Title))	CHAPTER 7 CASE NUMBER)
ALYN CORPORATION,)	SA 00-15911 LR)
	Debtor.))

NOTICE OF ENTRY OF JUDGMENT OR ORDER AND CERTIFICATE OF MAILING

TO ALL PARTIES IN INTEREST ON THE ATTACHED SERVICE LIST:

1. You are hereby notified, pursuant to Local Bankruptcy Rule 116(1)(a)(iv), that a judgment or order entitled:

ORDER GRANTING CHAPTER 7 TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY OF THE BANKRUPTCY ESTATE FREE AND CLEAR OF LIENS, SHOULD ANY EXIST, PURSUANT TO BANKRUPTCY CODE SECTIONS 363(B)(1) AND APPROVING SALE [INTELLECTUAL PROPERTY]

was entered on: **APR 23 2001**

2. I hereby certify that I mailed a copy of this notice and a true copy of the order or judgment to the persons and entities on the attached service list on:

APR 23 2001

DATED:

APR 23 2001

Jon D. Ceretto
Clerk of the Bankruptcy Court

By: **KIM LOAN NGO**
Deputy Clerk

June 1992. This form is optional. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

110
BK-110

Alyn Corporation
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