

FORM PTO-1595 (Modified)  
(Rev. 6-93)  
OMB No 0651-0011 (exp 4/94)  
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07-19-2001

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



Tab settings

To the Honorable Commissioner of Patent

101826587

Attached original documents or copy thereof.

1. Name of conveying party(ies):  
**Annetta E. Eakin , Executrix of the estate of Robert R. Eakin (deceased)**  
**Steven G. Eakin, Executor of the estate of Annetta E. Eakin (deceased)**

2. Name and address of receiving party(ies):  
Name: **Steven Gregory Eakin and Robert Charles Eakin**

Internal Address: \_\_\_\_\_

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

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other **Affidavit**

Street Address: **R.D. #2, Box 264 and R.D. #2, Box 262-R**

City: **Franklin** State: **PA** ZIP: **16323**

Execution Date: **April 3, 2001**

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

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)

**4,884,949**

Additional numbers attached?  Yes  No

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

Name: **Wayne L. Lovercheck**

Internal Address: **LOVERCHECK AND LOVERCHECK**

Street Address: **931 STATE STREET**

City: **ERIE** State: **PA** ZIP: **16501**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ **40.00**  
Submitted with original filing **4/13/01**  
 Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number:

**12-2180**

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.

**Wayne L. Lovercheck**

**July 11, 2001**

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **23**

**PATENT**

**REEL: 011979 FRAME: 0201**

04-26-2001



101688864

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

PATENTS ONLY

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

1. Name of conveying party(ies): **4-13-01**  
**Robert R. Eakin (deceased)**  
**Annetta E. Eakin (deceased)**

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

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

Name: **Steven Gregory Eakin and Robert Charles Eakin**

Internal Address: \_\_\_\_\_

Street Address: **R.D. #2, Box 264 and R.D. #2, Box 262-R**

City: **Franklin** State: **PA** ZIP: **16323**

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

3. Nature of conveyance:

Assignment  Merger

Security Agreement  Change of Name

Other **Affidavit**

Execution Date: **April 3, 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) **4,884,949**

Additional numbers attached?  Yes  No

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

Name: **Wayne L. Lovercheck**

Internal Address: **LOVERCHECK AND LOVERCHECK**

Street Address: **931 STATE STREET**

City: **ERIE** State: **PA** ZIP: **16501**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ **40.00**

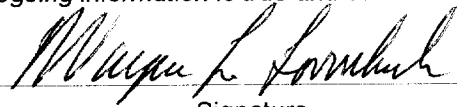
Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number: **12-2180**

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.*

**Wayne L. Lovercheck**  **April 12, 2001**

Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: **22**

## AFFIDAVIT

Our names are: Steven Gregory Eakin, and Robert Charles Eakin, residing at R.D.#2, Box 264, Franklin, PA 16323, and R.D.#2, Box 262-R, Franklin, PA 16323 respectively. We are two of the children of Robert R. and Annetta E. Eakin, and by inheritance, are the owners of U.S. Patent No. 4,884,949.

Robert R. Eakin died May 8, 1993. Our mother is the Annetta E. Eakin referred to in the Last Will and Testament of Robert R. Eakin, recorded in the Records of Venango County at Book 78, Pages 0044 through 0047, in the Registrar of Wills Office of the Venango County Courthouse in Franklin, Pennsylvania. A true and correct copy of the Last Will and Testament of Robert R. Eakin is attached to this Affidavit.

Annetta E. Eakin died June 2, 2000. We are the Steven Gregory Eakin and Robert Charles Eakin referred to in the Last Will and Testament of Annetta E. Eakin, registered as File No. 61-2000-209, and is recorded in Book BK0083, pages 1042 through 1047 in the Registrar of Wills Office of the Venango County Court House in Franklin, Pennsylvania. A true and correct copy of the Last Will and Testament of Annetta E. Eakin is attached to this Affidavit.

Under Item III of the Will of Robert R. Eakin, Annetta E. Eakin was bequeathed the personal property Robert Eakin owned or had the right to dispose of at the time of his death. It is our understanding and belief that Robert R. Eakin owned all right, title and interest in and to U.S. Patent No. 4,884,949 on May 8, 1993, and that Annetta E. Eakin became the owner of the entire right, title and interest in and to U.S. Patent No. 4,884,949 under the Will of Robert R. Eakin.

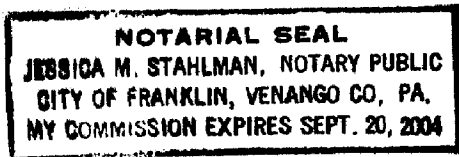
Under Item Fifth of the Will of Annetta E. Eakin, Steven Gregory Eakin and Robert Charles Eakin were bequeathed the remainder and residue of the personal property Annetta E. Eakin owned, or had the right to dispose of at the time of her death. It is our understanding and belief that Annetta E. Eakin owned all right, title and interest in and to U.S. Patent No. 4,884,949 on June 2, 2000, and that Steven Gregory Eakin and Robert Charles Eakin became the owners of the entire right, title and interest in and to U.S. Patent No. 4,884,949 under the Will of Annetta E. Eakin.

Date: 4/3/01

*Steven Gregory Eakin*  
Steven Gregory Eakin

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF VENANGO )

Before me personally appeared Steven Gregory Eakin, to me known to be the person scribed in the above Affidavit, who signed the foregoing instrument in my presence, and made oath before me to the allegations set forth therein as being under oath, on the day and year aforesaid.



*Jessica M. Stahlman*  
(Notary Public)

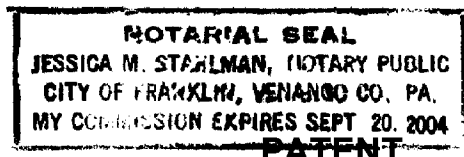
Date: April 3, 2001

*Robert Charles Eakin*  
Robert Charles Eakin

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF VENANGO )

Before me personally appeared Robert Charles Eakin, to me known to be the person scribed in the above Affidavit, who signed the foregoing instrument in my presence, and made oath before me to the allegations set forth therein as being under oath, on the day and year aforesaid.

*Jessica M. Stahlman*  
(Notary Public)



ESTATE OF ROBERT R. EAKIN, Deceased.  
W. D. No. 40, OF 19 94 R. D. NO. 80, of 19 94

I, ROBERT R. EAKIN, of Cranberry Township, Venango County, Pennsylvania, declare this to be my last Will, hereby revoking all prior wills and codicils.

ITEM I: The expenses of my last illness and funeral shall be paid from my estate.

ITEM II: I give all my tangible personal property and any insurance thereon to my beloved wife, ANNETTA E. EAKIN.

ITEM III: I give the residue of my estate, real and personal, to my beloved wife, ANNETTA E. EAKIN, or, if she predeceases me, then I give and bequeath my estate to my children: HOWARD MICHAEL EAKIN, RICHARD PRESTON EAKIN, STEVEN GREGORY EAKIN, and ROBERT CHARLES EAKIN, equally, share and share alike.

ITEM IV: I appoint my Executor as Guardian with power to receive and hold for minors all property payable by law to a guardian appointed by my will; to invest such property and all accumulated income without restriction to investments authorized for fiduciaries; and to use income and principal for the minor's maintenance and education, either directly or by payment to any person selected to disburse it whose receipt shall be a complete acquittance therefor. All unexpended principal and income shall be paid to the minor upon attaining age twenty-one (21).

The Guardian may, in discharge of all duty hereunder, pay any minor's share deemed impractical of administration to the person standing in place of the minor's parent or to the minor or may deposit it in an interest bearing account in the minor's name.

ITEM V: No interest of any beneficiary under this Will or any codicil hereto shall be subject to anticipation or voluntary or involuntary alienation.

PAGE ONE

*Robert R Eakin*

ITEM VI: In addition to powers given them by law, my Executrix and her successor and any Guardian acting hereunder shall have the following powers, applicable to all property held by them, effective without court order and until actual distribution:

- (a) To retain any property received by them;
- (b) To sell real estate for any purpose, publicly or privately, for such prices and on such terms as they deem proper, without liability on the purchasers to see to application of the purchase moneys;
- (c) To compromise controversies;
- (d) To distribute in cash or kind or partly in each at valuations fixed by them; and
- (e) To hold investments in the name of a nominee.

ITEM VII: I appoint my beloved wife, ANNETTA E. EAKIN, Executrix of this Will. If she for any reason does not act or continue to act, I appoint RICHARD P. EAKIN, Executor in her place with the same powers and duties. No fiduciary acting hereunder shall be required to post bond or enter security in any jurisdiction.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day of June, 1974.

Robert R. Eakin (SEAL)

SIGNED, SEALED, PUBLISHED and DECLARED by the above-named Testator, ROBERT R. EAKIN, as and for his last Will and Testament, in the presence of us, who, at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses:

Max P. Labuski  
Name

Oil City, Pa.  
Address

Debra V. Black  
Name

Houseville, Pa.  
Address

W I L L

ESTATE OF ROBERT R. EAKIN, Deceased.  
W. D. No. 40, OF 19 94 R. D. NO. 80, of 19 94

OATH OF SUBSCRIBING WITNESS

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF VENANGO SS.

Debra V. Black, a subscribing witness to the Will presented herewith, being duly qualified according to law, deposes and says that she was present and saw Robert R. Eakin, the Testator, sign the same and that she he signed as a witness at the request of Testator in her presence and (in the presence of each other) (in the presence of the other subscribing witness(es)).

SWORN to or affirmed and subscribed  
before me this 3rd day of  
March, 19 94

Ann A. Buchan  
REGISTER OF WILLS

Debra V. Black  
(Signature)

RD #2, 24372, Pitt City, PA 16301  
(Address)

UNAVAILABLE SUBSCRIBING WITNESS

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF VENANGO SS.

I, the undersigned, being duly sworn according to law, depose and say that I am the Executrix in the Estate of Robert R. Eakin Deceased, and declare that Max P. Gabreski whose signature appears as a subscribing witness to the Last Will and Testament of Robert R. Eakin Deceased, is not readily available to prove the signature of the Testator by reason of his ~~her~~ being deceased

SWORN to or affirmed and subscribed  
before me this 3rd day of  
March, 19 94

Ann A. Buchan  
REGISTER OF WILLS

Robert R. Eakin

**OATH OF NON-SUBSCRIBING WITNESS**

COMMONWEALTH OF PENNSYLVANIA  
 COUNTY OF VENANGO SS.

Steve Eakin a subscriber hereto,  
 being duly qualified according to law, deposes and says that he is familiar with the signature of  
Robert R. Eakin Testator of the Will presented herewith  
 and that he believes the signature on the Will is in the handwriting of Robert R. Eakin  
 to the best of his knowledge and belief.

SWORN to or affirmed and subscribed

before me this 3rd day of

March, 1994.

Sue A. Buchan  
 REGISTER OF WILLS

Steve Eakin  
 (Signature)  
RD 2 Box 264  
Franklin PA 16323  
 (Address)

**ORDER OF PROBATE**

AND NOW, this 3rd day of March, 1994, the proof of the attached  
 Last Will and Testament being deemed sufficient, it is ORDERED and DECREED that the said  
 Last Will and Testament of Robert R. Eakin, Deceased,  
 be admitted to probate and recorded as such.

Sue A. Buchan  
 REGISTER OF WILLS



I, SUE A. BUCHAN

Register for the Probate of Wills and Granting  
Letters of Administration &c. in and for said  
County of VENANGO do hereby certify that on  
the 7th day of June A.D.,  
Two Thousand,

Letters TESTAMENTARY

in common form were granted by the Register of  
said County, on the

estate of EAKIN ANNETTA E, late of CRANBERRY TWP  
(LAST, FIRST, MIDDLE)

in said county, deceased, to EAKIN STEVEN GREGORY  
(LAST, FIRST, MIDDLE)

and that same has not since been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal  
of said office at FRANKLIN, PENNSYLVANIA, this 23rd day of March  
A.D., Two Thousand and One.

File No. 61-00-00209

Date of Death 6/02/2000

S.S. # 185-20-8640

Sue A Buchan Register

W I L L

ESTATE OF ANNETTA E. EAKIN, DECEASED

FILE NO. 61-2000-209

LAST WILL AND TESTAMENT

OF

ANNETTA E. EAKIN

12-11-98  
Date

I, **ANNETTA E. EAKIN**, of R.D. 2 Box 262, Franklin, Venango County, Pennsylvania 16323, being of sound mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament, in manner and form following, hereby revoking any Will or Wills heretofore made by me.

**FIRST.** I direct that all my just debts and funeral expenses be paid as soon after my death as may be found convenient.

**SECOND.** I give, devise and bequeath unto my daughter, Sarah Ellen Little Best, the sum of Twenty Five Thousand and 00/100 (\$25,000.00) Dollars, if she survives me for a period of thirty (30) days. If said Sarah Ellen Little Best should predecease me or fail to survive me by thirty (30) days, then I give, devise and bequeath the aforesaid sum of Twenty Five Thousand and 00/100 (\$25,000.00) to the grandchildren of lineal consanguinity of said Sarah Ellen Little Best, per stirpes, in equal shares,.

Annetta E. Eakin

**THIRD.** I give, devise and bequeath unto my son, Richard Preston Eakin, the sum of Fifty Thousand and 00/100 (\$50,000.00) Dollars, if he survives me for a period of thirty (30) days. If said Richard Preston Eakin should predecease me or fail to

survive me by thirty (30) days, then I give, devise and bequeath the aforesaid sum of Fifty Thousand and no/100 (\$50,000.00) Dollars to his then living issue of lineal consanguinity, per stirpes, in equal shares.

12-10-98  
Date

**FOURTH.** I give, devise and bequeath unto my grandson, Shawn Michael Eakin, the sum of One Thousand and no/100 (\$1,000.00) Dollars, if he survives me for a period of thirty (30) days. If said Shawn Michael Eakin should predecease me or fail to survive me by thirty (30) days, then the bequest in this Item Fourth shall become a part of my residue estate.

**FIFTH.** I give, devise and bequeath the remainder or residue of my estate, real, personal or mixed, of whatever nature and wherever situate and to which I may be entitled, to my sons, Steven Gregory Eakin and Robert Charles Eakin, in equal shares, share and share alike, absolutely.

Annette E. Eakin  
Annetta E. Eakin

**SIXTH.** In the event that any beneficiary herein shall be under the age of twenty-five (25) years, said bequest shall be retained in a separate trust, as follows:

- a. Until any said beneficiary's twenty-fifth (25th) birthday, the Trustee may pay to him or her or expend for his or her benefit or may pay to the person having custody of him or her, without liability on the Trustee to see to the application thereof, so much of the income and principal as necessary for his or her comfortable support and education, and shall add any excess income to principal and invest it as such.
- b. Upon the said beneficiary's twenty-fifth (25th) birthday the trust shall terminate and the principal shall be transferred and delivered to him or her free of trust. In the event of his or her death, the principal and any accumulated or undistributed income shall be distributed as any said beneficiary may appoint by specific reference to this power in his or her Will; any unappointed principal and income shall be transferred and delivered to said deceased beneficiary's living

issue of lineal consanguinity, in equal shares, share and share alike. If said deceased beneficiary has no issue, then any unappointed principal and income shall be transferred and delivered to said deceased beneficiary's surviving siblings.

12-10-98

Date

- c. If any beneficiary in his or her minority, in the sole discretion of my Trustee, becomes mentally or physically incapacitated, my Trustee may apply said beneficiary's share, either principal or income, for the support and welfare the said beneficiary directly without the intervention of a guardian.
- d. All principal and income shall, until actual distribution to any beneficiary in his or her minority, be free of debts, contracts, alienation and anticipation of the said beneficiary, and the same shall not be liable to any levy, attachment, execution or sequestration while in the hands of my Executor or Trustee.

**SEVENTH.** I authorize my executor and Trustee, and their successors, to exercise all the following powers, in addition to those given by law, to be exercised in their sole discretion:

- (a) To retain any real or personal property which may at any time form part of my estate, including shares of stock, as long as they may deem advisable.
- (b) To invest in any real or personal property without restriction to legal investments.
- (c) To repair, alter, improve or lease, for any period of time, without security, to exchange or petition real or personal property and to give options for sales or exchanges thereof.
- (d) To make distribution in kind, although they may sell if so desired by them.
- (e) To conduct any business in which I am engaged or in for which I have an interest at the time of my death, for such periods as they may deem advisable and with power to borrow money and pledge the assets of the business and do all other acts that I, in my lifetime, could have done or to delegate any such powers to my partner, manager or employee.

Annetta E. Eakin

Annetta E. Eakin

(f) To borrow money from any person or entity, including any Executor or Trustee; and to mortgage or pledge any real or personal property.

(g) As I wish my Executor and Trustee to exercise the broadest discretion in dealing with my estate, so as to be able to do everything they deem advisable for the best interests of my estate and the beneficiaries thereof, I direct that my Executor and Trustee shall not be responsible for any loss or damage resulting from the exercise of good faith of the powers of authority hereby conferred upon them.

12-10-98  
Date

EIGHTH. I hereby nominate, constitute and appoint my son, STEVEN GREGORY EAKIN, Trustee of any Trust created under this Last Will and Testament. In the event said Steven Gregory Eakin is unable to act or fails to act as Trustee, then I nominate, constitute and appoint my daughter, Sarah Ellen Little Best as Trustee of any Trust created under this Last Will and Testament.

NINTH. I hereby nominate, constitute and appoint my son, STEVEN GREGORY EAKIN, Executor of this my Last Will and Testament. In the event said Steven Gregory Eakin is unable to act or fails to act as Executor, then I nominate, constitute and appoint my daughter, Sarah Ellen Little Best as Executrix of this my Last Will and Testament. I hereby direct that my Executor shall serve without compensation for the duties performed as Executor.

Annette E. Eakin  
Annetta E. Eakin

TENTH. I hereby nominate, constitute and appoint my son, STEVEN GREGORY EAKIN, as successor Trustee for any Trust for which I may serve as Trustee at the time of my death.

**ELEVENTH.** I direct that my Executor and its successors shall not be required to give bond for the faithful performance of its duties in any jurisdiction, and if bond is nevertheless required, it shall be without surety.

**IN WITNESS WHEREOF, I, ANNETTA E. EAKIN, the Testatrix above named, have hereunto set my hand and seal this 10 day of December, 1998.**

Annetta E. Eakin (SEAL)  
Annetta E. Eakin

Signed, sealed, published and declared by the above-named ANNETTA E. EAKIN, Testatrix, as and for her Last Will and Testament in the presence of us, who have hereunto subscribed our names as witnesses at her request as witnesses thereunto, in the presence of said Testatrix and of each other.

Wayne H. Hundertmark  
Wayne H. Hundertmark

Exton, Pa.  
Address

Susan M. Dummett  
Susan M. Dummett

Franklin, PA  
Address

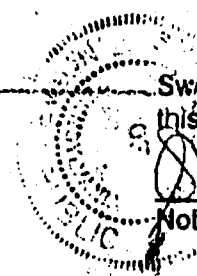
COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF VENANGO :

SS:

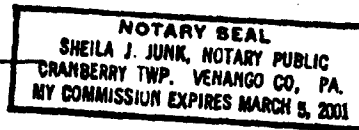
I, ANNETTA E. EAKIN, the Testatrix, whose name is signed to the foregoing instrument, having been duly qualified according to law, do hereby acknowledge that I signed and executed the said instrument as my Will; that I signed it willingly; and that I signed it as my free and voluntary act for the purposes therein expressed.

Annetta E. Eakin (SEAL)  
Annetta E. Eakin

Sworn and subscribed to before me  
this 10<sup>th</sup> day of December, 1998.



Sheila J. Junk  
Notary Public.



COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF VENANGO :

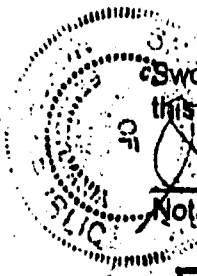
SS:

We, Wayne H. Hundertmark and Susan M. Dummett, the witnesses whose names are signed to the foregoing instrument, being duly qualified according to law, do depose and say that we were present and saw Annetta E. Eakin, the Testatrix herein named, sign and execute the said instrument as her Will, that she signed willingly and that she executed it as her free and voluntary act for the purposes therein expressed; that each of us in the hearing and sight of the said Testatrix signed the Will as witnesses; and that to the best of our knowledge, the said Testatrix was at the time eighteen (18) or more years of age, of sound mind and under no undue constraint.

Wayne H. Hundertmark (SEAL)  
Wayne H. Hundertmark

Susan M. Dummett (SEAL)  
Susan M. Dummett

Sworn and subscribed to before me  
this 10<sup>th</sup> day of December, 1998.



Sheila J. Junk  
Notary Public.

