

07/18/2001

700006423

RECORDATION FORM COVER

08-09-2001

FORM PTO-1506 (Modified)
(Rev. 6-93)
OMB No. 0551-0011 (exp. 4/94)
Copyright 1994-97 Legistics
POM/REV02

PATENTS ON

COMMERCE
emark Office

Tab settings

101805619

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

1. Name of conveying party(ies):

James P. O'Shaughnessy

RIS
7-19-01

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

Name: Netfolio, Inc.

Internal Address: _____

Street Address: 35 Mason Street, Fourth FloorCity: GreenwichState: CTZIP: 06830

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Additional name(s) & address(es) attached? ☐ Yes ☒ NoExecution Date: July 12, 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)

09/361,654

B. Patent No.(s)

5,978,778

Additional numbers attached? ☐ Yes ☒ No

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

Name: Elman & Associates

Internal Address: _____

Street Address: 20 West Third Street, PO Box 1969City: MediaState: PA ZIP: 19063

6. Total number of applications and patents involved:

2

7. Total fee (37 CFR 3.41):.....\$ 80.00☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

8. Deposit account number:

05-0845

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.

Gerry J. Elman

July 18, 2001

Name of Person Signing

Signature

Date

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

6

Assignment

United States Provisional Patent Application 60/034,089

United States Letters Patent 5,978,778

United States Patent Application 09/361,654

International Patent Application PCT/US00/20376

ASSIGNMENT of WORLDWIDE RIGHT, TITLE AND INTEREST

WHEREAS, I,

JAMES P. O'SHAUGHNESSY
whose postal address is
35 Mason Street, Forth Floor
Greenwich, Connecticut 06830

have invented certain Inventions comprising new and useful improvements in

AUTOMATED STRATEGIES FOR INVESTMENT MANAGEMENT

hereinafter (the "Inventions")

as described in United States Provisional Patent Application no. 60/034,089 filed in the United States Patent and Trademark Office on December 30, 1996:

and

in United States Letters Patent no. 5,978,778, issued November 2, 1999;

and

in United States Patent Application no. 09/361,654, filed in the United States Patent and Trademark Office on July 27, 1999;

and

in International Patent Application no. PCT/US00/20376 filed in the United States Patent and Trademark Office acting as Receiving Office on July 27, 2000;

WHEREAS, NETFOLIO, Inc. a Minnesota Corporation whose principal offices are located at

35 Mason Street, Forth Floor
Greenwich, Connecticut 06830

(hereinafter referred to as the "Assignee"), is desirous of documenting its ownership

Inventor: Initial Here: JPO

Page 1 of 5

Assignment
United States Provisional Patent Application 60/034,089
United States Letters Patent 5,978,778
United States Patent Application 09/361,654
International Patent Application PCT/US00/20376

of its entire right, title, and interest in and to said Inventions, and in and to any Letters Patent that have been and may be granted therefor:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and of other good and valuable considerations, receipt of which is hereby acknowledged by me, I, intending to be legally bound, do hereby acknowledge *nunc pro tunc* that I did as of the filing date of the each of the aforesaid patent applications, sell, assign, and transfer to the Assignee and Assignee's legal representatives my entire 100% right, title and interest together with all rights of priority, in the respective Inventions, as described and/or claimed in said applications for patent and any and all applications for Letters Patent, in any country or jurisdiction, based in whole or in part thereon, including divisions, continuations and continuations-in-part thereof as well as all foreign counterparts and all applications containing disclosure in common therewith, together with all Letters Patent in any country or jurisdiction arising from any of the aforesaid applications, as well as any and all reissues and reexaminations thereof, the same to be held and enjoyed by Assignee, its successors and assigns, to the full ends of the terms of all said Letters Patent therefor which may be granted.

I hereby authorize and request the Patent Office officials in the United States and all foreign countries or jurisdictions to issue any and all of said Letters Patent, when granted, to Assignee, as the Assignee of my entire right, title and interest in and to the same, for the sole use and behoove of Assignee, its successors and assigns. I hereby authorize the Assignee to make applications for and to receive Letters Patent for said invention in any foreign countries or jurisdictions in its own name, or my name, at its election.

Further, I hereby agree to communicate to Assignee, or its representatives, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, substitution, renewal, reissue and related United States and foreign applications and declarations relating thereto, execute all necessary claims of priority and assignment papers to cause any and all of said Letters Patent to be issued to said Assignee, make all rightful oaths, and generally to do everything possible to aid Assignee, its successors and assigns, to obtain and enforce protection for said inventions in the United States and in any and all foreign countries or jurisdictions. The rights and property herein conveyed by me are free and clear of any encumbrances.

Inventor: Initial Here: JPO

AP/S

Page 2 of 5

Assignment
United States Provisional Patent Application 60/034,089
United States Letters Patent 5,978,778
United States Patent Application 09/361,654
International Patent Application PCT/US00/20376

I hereby authorize Gerry J. Elman, Registration No. 24,404, of the firm Elman & Associates, to correct errors in this Assignment document and to insert any further identification or information necessary or desirable to make this Assignment recordable in the United States Patent and Trademark Office, or elsewhere.

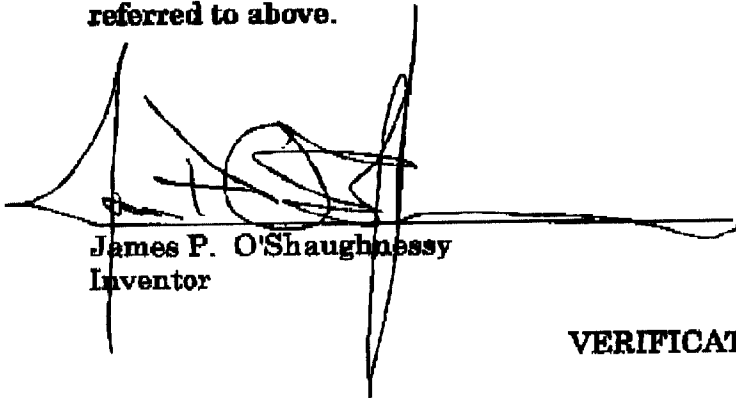
If any provision of this document should be found invalid or unenforceable under relevant law, such provision shall be deemed excluded and redacted here from, and the validity and enforceability of the remaining provisions shall not be affected thereby.

Inventor: Initial Here: JPC¹⁵ }

Page 3 of 5

Assignment
United States Provisional Patent Application 60/034,089
United States Letters Patent 5,978,778
United States Patent Application 09/361,654
International Patent Application PCT/US00/20376

The undersigned, hereby executes, grants and delivers the assignment document on the date stated below, *nunc pro tunc* as of the filing date of each application referred to above.



James P. O'Shaughnessy
Inventor

Date 7/12/01

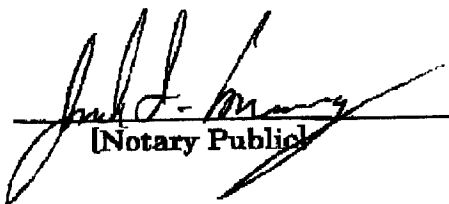
VERIFICATION

State of New York

County of New York :

ss.

I, a notary public duly commissioned and qualified by the state of New York, United States of America, do hereby certify that on the 12th day of July 2001, before me personally appeared James P. O'Shaughnessy, to me personally known or duly proven to be the individual whose name is subscribed to the foregoing instrument, who, being affirmed, did depose and say that he executed the foregoing instrument of his own free will intending to be legally bound according to its terms.



[Notary Public]


{Seal}

JOSEPH E. CONWAY
Notary Public, State of New York
No. 01CO6053174
Qualified in Columbia County
Commission Expires Jan. 2, 200

Assignment
United States Provisional Patent Application 60/034,089
United States Letters Patent 5,978,778
United States Patent Application 09/961,654
International Patent Application PCT/US00/20376

Netfolio, Inc, hereby accepts the foregoing assignment in accordance with the terms of the assignment.

For NETFOLIO, Inc.


Date 7/12/01
James P. O'Shaughnessy
Chairman and CEO

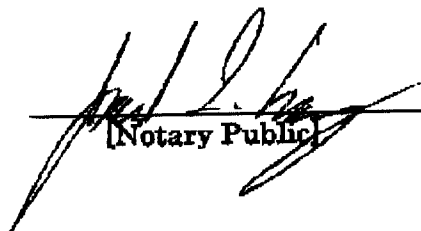
VERIFICATION

State of New York

ss.

County of New York:

I, a notary public duly commissioned and qualified by the State of New York, United States of America, do hereby certify that on the 12th day of July 2001, before me personally appeared James P. O'Shaughnessy, to me personally known or duly proven to be the individual whose name is subscribed to the foregoing instrument, who, being affirmed, did acknowledge himself/herself to be the Chairman and CEO of Netfolio, Inc., and that he/she, as such Chairman and CEO, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself/herself as Chairman and CEO.


[Notary Public]

{Seal}

JOSEPH F. CONWAY
Notary Public, State of New York
No. 01CO6053174
Qualified in Columbia County
Commission Expires Jan. 2, 200__

Page 5 of 5

JOSEPH F. CONWAY
Notary Public, State of New York
No. 01CO6053174
Qualified in Columbia County
Commission Expires Jan. 2, 200__