

REC

08-29-2001



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Attorney's Docket No. 032390-024

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

1. Name of conveying party(ies): 08/24/01
 Hardy Butler, Ben Adu, J. Michael Drozd, William T. Joines, Esther Drozd

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name

Other: _____

Execution Date: August 1, August 2, August 9, and August 13, 2001

2. Name and address of receiving party(ies):
 Name: Industrial Microwave Systems, Inc.
 Address: 3000 Perimeter Park Drive
Suite I
Morrisville, North Carolina 27560

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

4. Application number(s) or patent number(s):
 If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)
09/730,804

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: Alan L. Whitehurst
 Address: BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

6. Total number of applications and patents involved: one (1)

7. Total fee (37 CFR § 3.41): \$ 40.00
 Enclosed
 Authorized to be charged to deposit account, if necessary

8. Deposit account number:
02-4800

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.

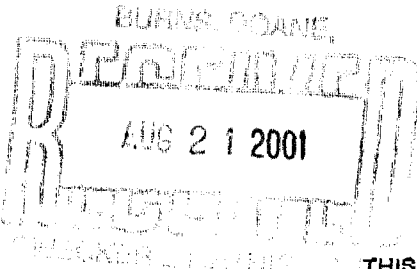
Alan L. Whitehurst, Reg. No. 43,263 [Signature] August 24, 2001
 Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

08/28/2001 TBIAZI 00000148 09738804
01 FC:581 40.00 OP



032390-024
Attorney's Docket No.

ASSIGNMENT

(JOINT)

THIS ASSIGNMENT, by HARDY BUTLER, BEN ADU, J. MICHAEL DROZD, WILLIAM T. JOINES,
and ESTHER DROZD, residing at 2102A WEST KNOX, DURHAM, NORTH CAROLINA 27705, 5316 SAINT
MAWES COURT, FREDERICK, MARYLAND 21703, 5107 CAROLWOOD LANE, DURHAM, NORTH CAROLINA
27713, 4010 DEEPWOOD CIRCLE, DURHAM, NORTH CAROLINA 27707 and 105 COMANCHE TRAIL,
LEXINGTON, NORTH CAROLINA 27295 (hereinafter referred to as "the Assignors"), respectively,
witnesseth:

WHEREAS, the Assignors have invented certain new and useful improvements in
METHOD AND APPARATUS FOR CONTROLLING AN ELECTRIC FIELD INTENSITY WITHIN A
WAVEGUIDE set forth in an application for Letters Patent of the United States,

- (1) which is a provisional application
 - (a) to be filed herewith; or
 - (b) bearing Application No. __, and filed on __: or
- (2) which is a non-provisional application
 - (a) having an oath or declaration executed on even date herewith prior to filing of application;
 - (b) bearing Application No. 09/730,804, and filed on DECEMBER 7, 2000; or
 - (c) to be filed; and

WHEREAS, INDUSTRIAL MICROWAVE SYSTEMS, INC., a corporation duly organized under and pursuant to the laws of DELAWARE and having its principal place of business at 3000 PERIMETER PARK DRIVE, SUITE I, MORRISVILLE, NORTH CAROLINA 27560 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignors had this sale and assignment not been made;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the

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WED: S. 1 '01 14:46/ST. 14:44/NO. 4260034852 P 6

Application No. 097790-804
Attorney's Docket No. 032390-024

Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any renewal or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby authorize and request the attorneys of BURNS, DOANE, SWICKER & MATHEIS, L.L.P., of Alexandria, Virginia to file in the office provided above the filing date, application number, and attorney docket number of said application when known.

AND the Assignors hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and benefit of the Assignee, its successors, legal representatives, and assigns.

Date <u>8/13/01</u>	Signature of Assignor	<u>C. Hardy Butler</u> Hardy Butler
Date _____	Signature of Assignor	_____ Ben Adu
Date _____	Signature of Assignor	_____ J. Michael Druzd
Date <u>8/2/01</u>	Signature of Assignor	<u>William T. Joines</u> William T. Joines
Date <u>8/1/01</u>	Signature of Assignor	<u>Esther Druzd</u> Esther Druzd

Application No. 08/730,804
Attorney's Docket No. 032390-024

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Date _____	Signature of Assignor _____	Hardy Butler
Date <u>July 25, 2001</u>	Signature of Assignor _____	<u>San Adu</u>
Date _____	Signature of Assignor _____	J. Michael Drozd
Date _____	Signature of Assignor _____	William T. Joiner
Date _____	Signature of Assignor _____	Esther Drozd

BA

Application No. 09/730,804
Attorney's Docket No. 032390-024

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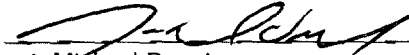
AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

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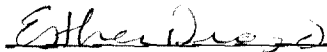
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Date _____ Signature of Assignor _____ ✓
Hardy Butler

Date _____ Signature of Assignor _____
Ben Adu

Date 8-9-01 Signature of Assignor 
J. Michael Drozd

Date _____ Signature of Assignor _____ ✓
William T. Joines

Date 8/1/01 Signature of Assignor 
Esther Drozd