

09-10-2001

ATTY DOCKET NO. 101358-10



HEET

To the Assistant Commissioner for
or a copy thereof.

101851908

inal documents

1. Name of conveying party(ies):

Kenneth Stephen Eddin Orpen

Additional name(s) of conveying party(ies) attached?

Yes

☒ No

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

Name: ITW MIMA Films LLC

Street Address: 3600 West Lake Avenue

City: Glenview

State: IL Zip: 60025

and

Name: Kenneth Stephen Eddin Orpen

Address: Jade House, Croyden Road, Westerham,
Kent, TN1X 1TX, UNITED KINGDOM,

jointly

3. Nature of conveyance:



Assignment (of 1/2 interest)

Execution Date: July 19, 2001

Additional name(s) & address(es) attached?

Yes



No

NOTE: THE PARTIES INTEND THIS DOCUMENT TO REPLACE AND SUPERCEDE THE ASSIGNMENT RECORDED WITH THE PTO ON SEPTEMBER 28, 1999 AT REEL 10268, FRAME 0104.

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): 09/331,392

B. Patent No(s): 5,816,026 and 5,979,146

Additional numbers attached?

Yes



No

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

Atty. Name: Thomas J. Engellenner, Esq.
Firm Name: Nutter, McClennen & Fish, LLP
Street Address: One International Place
City/State: Boston, MA
Zip Code: 02110-2699

6. Total number of applications and patents involved? Three

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

☒ Fee Enclosed

The Commissioner is hereby authorized to charge underpayment/credit overpayment to Deposit Account No. 141449.

(Attach duplicate copy of this page if paying fees by Deposit Account)

DO NOT USE THIS SPACE

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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.)

Thomas J. Engellenner
Name of Attorney/Agent

Signature

Date: September 7, 2001

Total number of pages including cover sheet: 4

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PATENT
REEL: 012124 FRAME: 0865

CONFIRMATORY ASSIGNMENT

This agreement is between **ITW MIMA Films LLC**, a limited liability corporation of Delaware, having its principal place of business at 3600 West Lake Avenue, Glenview, Illinois 60025, and **Kenneth Stephen Eddin Orpen** of Jade House, Croyden Road, Westerham, Kent, TN1X 1TX, United Kingdom (the "parties"), and is intended to clarify and, if necessary, rectify the assignment records of the U.S. Patent and Trademark Office to reflect the actual intent of the parties with regard to ownership of certain U.S. Patents and U.S. patent applications listed on attached **Schedule A** (collectively, "the inventions").

Whereas, Kenneth Stephen Eddin Orpen is the sole inventor of two of three inventions listed on attached Schedule A (U.S. Patent Nos. 5,816,026 and U.S. Patent Application Serial No. 09/331,392) and is also a co-inventor with Peter William Pridham of the third invention (U.S. Patent 5,979,149); and

Whereas, Kenneth Stephen Eddin Orpen acquired the entire interest of Peter William Pridham in the third invention (U.S. Patent 5,979,149) by virtue of an assignment duly recorded with the U.S. Patent and Trademark Office on March 9, 1998 (Reel 9037; Frame 0945) and thereby acquired full and sole ownership of all of the inventions listed on Schedule A; and

Whereas, **ITW MIMA Films LLC** and **Kenneth Stephen Eddin Orpen** further entered into an agreement dated July 30, 1998 that provided, among other things, for the assignment from **Kenneth Stephen Eddin Orpen** to **ITW MIMA Films LLC** of a one-half ownership interest in the inventions listed on Schedule A; and

Whereas, an assignment document was erroneously executed by Kenneth Stephen Eddin Orpen on September 17, 1999 and recorded with the U.S. Patent and Trademark Office on September 28, 1999 (Reel 10268; Frame 0104) purporting to transfer the full and sole ownership of all of the inventions listed on Schedule A from **Kenneth Stephen Eddin Orpen** to **ITW MIMA Films LLC**; and

Whereas, the parties wish to clarify the actual state of ownership and correct the records of the U.S. Patent and Trademark Office;

Therefore, it is agreed:

To the extent that the assignment document dated September 17, 1999, and recorded with the U.S. Patent and Trademark Office at Reel 10268, Frame 0104, purports to grant full ownership in the inventions listed on Schedule A, the parties rescind said document;

It is the parties' intent and desire that ownership in the inventions listed on Schedule A be held jointly by **Kenneth Stephen Eddin Orpen** and **ITW MIMA Films LLC**, with each party holding an undivided one-half interest in the inventions; and

Kenneth Stephen Eddin Orpen hereby confirms, for himself, his successors and assigns, in consideration of One Dollar and other valuable consideration paid to him by **ITW MIMA Films LLC**, the receipt of which is hereby acknowledged, that he has sold, assigned and transferred unto said **ITW MIMA Films LLC** an undivided one-half (1/2) interest for the United States of America in certain inventions or improvements listed on attached **Schedule A** and for which applications have been filed in the United States Patent and Trademark Office, and in all Letters Patent(s) of the United States which may, shall be, or have been granted on said inventions or improvements, or any parts thereof, or on said application(s) or patent(s), or any divisional, continuing, reissue or other application(s) based in whole or in part thereon.


The parties further agree to execute all application(s), amended specification(s), deed(s) or other instrument(s), and to do all acts necessary or proper to secure the grant of Letters Patent(s) in the United States to **Kenneth Stephen Eddin Orpen** and **ITW MIMA Films LLC**, jointly with specifications and claims in such form as shall vest and confirm in **Kenneth Stephen Eddin Orpen** and **ITW MIMA Films LLC**, or their successors and assigns, the joint legal title to all such patent(s).

And the parties do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent(s) as shall be granted upon said application or applications based thereon to said **Kenneth Stephen Eddin Orpen** and **ITW MIMA Films LLC**, jointly.

WITNESS the parties by their hands. The effective date of this agreement shall be the date of the last party to sign this agreement.

ITW MIMA Films LLC

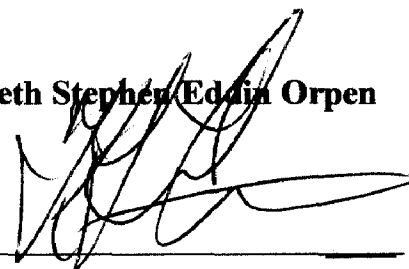
Witness


By: 
Name: HUGH J. ZENTMYER
Title: EXEC. V.P.
Date: 6/29/01

By: VALERYE SIEGEL
Print Name: Valerye Siegel

Kenneth Stephen Eddin Orpen

Witness


Date: 19/07/01


By: WENDY BROWN
Print Name: Wendy Brown

897327.1

SCHEDULE A

I. United States Issued Patent(s)

- A. 5,816,026, entitled "Hydraulic Bale Wrapper"
Issued on October 6, 1998
Serial No. 08/507,446
Inventor(s) Kenneth Stephen Eddin Orpen
- B. 5,979,146, entitled "Improved Wrapping Methods and Apparatus"
Issued on November 9, 1999
Serial No. 08/981,183
Inventor(s) Kenneth Stephen Eddin Orpen and Peter William Pridham

II. United States Patent Application(s)

- A. Serial No. 09/331,392, entitled "Wrapping Apparatus"
Filed June 18, 1999
Inventor(s) Kenneth Stephen Eddin Orpen

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NUTTER, MCLENNEN & FISH, LLP

ATTORNEYS AT LAW

ONE INTERNATIONAL PLACE
BOSTON, MASSACHUSETTS 02110-2699

TELEPHONE: 617 439-2000 FACSIMILE: 617 310-9000

CAPE COD OFFICE - HYANNIS, MASSACHUSETTS

THOMAS J. ENGELLENNER
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DIRECT LINE
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September 7, 2001

United States Patent and Trademark Office
Assignment Division
Crystal Gateway 4, Third Floor
1213 Jefferson Davis Highway
Arlington, VA 22202

Re: U.S. Patent Application Serial No. 09/331,392, filing date: August 25, 1999 (103e)
"Wrapping Apparatus" by Kenneth Stephen Eddin Orpen
Confirmation No. 1601
Attorney Docket No. 101358-10

Sir/Madam:

I enclose herewith for recording in the above-identified application the following:

1. Assignment Recordation Form Cover Sheet;
2. Executed Assignment from Kenneth Stephen Eddin Orpen, **solely**, to ITW MIMA Films LLC., and Kenneth Stephen Eddin Orpen, **jointly**;
3. Check in the amount of \$120.00 (for the Assignment Recording Fee for 3 properties); and
4. Acknowledgement Postcard.

Please charge any additional fees to our Deposit Account No. 141449.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, Assignment Division, Crystal Gateway 4, Arlington, VA 22202, on the date set forth below.

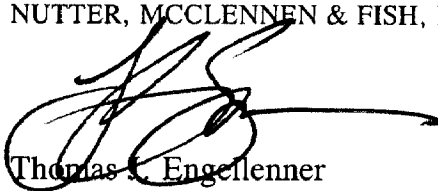
September 7, 2001

Date

Thomas J. Engellenner, Reg. No. 28,711

Respectfully submitted,

NUTTER, MCLENNEN & FISH, LLP


Thomas J. Engellenner
Reg. No. 28,711

TJE:mrr/Enclosures

1024309.1

PATENT
REEL: 012124 FRAME: 0869

NUTTER, MCCLENNEN & FISH, LLP

ATTORNEYS AT LAW

ONE INTERNATIONAL PLACE
BOSTON, MASSACHUSETTS 02110-2699

TELEPHONE: 617 439-2000 FACSIMILE: 617 310-9000

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September 7, 2001

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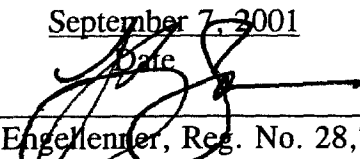
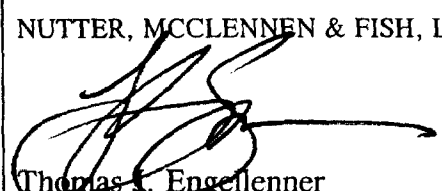
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<p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, Assignment Division, Crystal Gateway 4, Arlington, VA 22202, on the date set forth below.</p> <p><u>September 7, 2001</u> Date</p> <p> Thomas J. Engellenner, Reg. No. 28,711</p>	<p>Respectfully submitted,</p> <p>NUTTER, MCCLENNEN & FISH, LLP</p> <p> Thomas J. Engellenner Reg. No. 28,711</p>
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TJE:mrr/Enclosures

1024309.1

RECORDED: 09/10/2001

PATENT
REEL: 012124 FRAME: 0870