

09-14-2001

Docket No.: 70406/2

FORM PTO-1595 (Modified)

RECORD

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

G-1001 PATENTS ONLY 101842732

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

1. Name of conveying party(ies):

- a.) Erik J. Bartone d.) Devang N. Patel
b.) Ernest L. Mendenhall, Jr.
c.) John H. McClutchy, Jr.

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: August 2, 2001

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

Name: NXEGEN, INC

Internal Address: Suite 7 SEP 10 2001

Street Address: 362 Industrial Park Rd.

City: Middletown State: CT Zip: 06457

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)
09/906,031

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: David D. Lowry, Esq.

Internal Address:

Brown, Rudnick, Freed & Gesmer, P.C.
Box IP, 18th Floor

Street Address:

One Financial Center

City: Boston State: MA Zip: 02111

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: 50-0369

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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.

David D. Lowry, Reg. No. 38,538

Name of Person Signing

Signature

Date

9/6/01

Total number of pages including cover sheet, attachments, and document: 6

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PATENT
REEL: 012148 FRAME: 0451

ASSIGNMENT AND AGREEMENT

For and in consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, we, **Erik J. Bartone** residing at 16 Dexter Road, Rocky Hill, CT 06067, **Ernest L. Mendenhall, Jr.** residing at 9 Kevin Drive, Vernon, CT 06066, **John H. McClutchy, Jr.** residing at 11 Molly Lane, Darien, CT 06820 and **Devang N. Patel** residing at 24 Deepwood Drive, Danbury, CT 06810, have sold, assigned and transferred, and do hereby sell, assign and transfer, unto **NXEGEN, INC.**, a corporation of the State of Delaware, having its principal office at 362 Industrial Park Rd., Suite 7, Middletown, CT 06457, (hereinafter "ASSIGNEE") and its successors and assigns, the entire right, title and interest in and to certain inventions relating to improvement in **SYSTEM AND METHOD FOR MONITORING AND CONTROLLING ENERGY USAGE**, with application serial number 09/906,031* described and claimed in an application for Letters Patent of the United States of America executed by us, together with the entire right, title and interest in and to said application, and in and to Letters Patent which may be issued upon said application, and any divisions, extensions, continuations or reissues thereof.

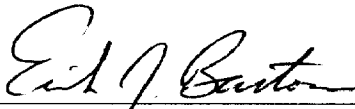
We hereby also sell, assign and transfer unto ASSIGNEE the entire right, title and interest in and to said invention and in and to applications for Letters Patent therefor in all countries foreign to the United States of America, including all rights under any and all international conventions and treaties in respect of said invention and said applications for Letters Patent in foreign countries, and we further authorize ASSIGNEE to apply for Letters Patent in foreign countries directly in its own name, and to claim priority of the filing date of the application for Letters Patent of the United States of America under the provisions of any and all international conventions and treaties.

We agree that, when requested, we will, without charge to ASSIGNEE, but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in ASSIGNEE, its successors, assigns and legal representatives or nominees.

*Where the application is assigned before it is filed, and hence has no Serial No., this shall be left blank.

I covenant to ASSIGNEE, its successors, assigns and legal representatives, that the interest and property hereby conveyed is free from all prior assignment, grant, mortgage, license or other encumbrance.

IN WITNESS WHEREOF, I, **Erik J. Bartone**, hereunto set my hand and seal this 2nd day of August, 2001.



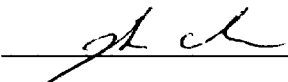
Erik J. Bartone

STATE OF CONNECTICUT

COUNTY OF Hartford

I, John Cheon, a Notary Public, do hereby certify that the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered said instrument as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2 day of August, 2001.


_____, Notary Public

My Commission Expires: June 30, 2006

JOHN CHEON
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2006

I covenant to ASSIGNEE, its successors, assigns and legal representatives, that the interest and property hereby conveyed is free from all prior assignment, grant, mortgage, license or other encumbrance.

IN WITNESS WHEREOF, I, **Ernest L. Mendenhall, Jr.**, hereunto set my hand and seal this 2ND day of AUGUST, 2001.

Ernest L. Mendenhall, Jr.
Ernest L. Mendenhall, Jr.

STATE OF CONNECTICUT

COUNTY OF Hartford

I, John Cheon, a Notary Public, do hereby certify that the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered said instrument as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2 day of August, 2001.

John Cheon
, Notary Public

My Commission Expires: June 30, 2006

JOHN CHEON
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2006

I covenant to ASSIGNEE, its successors, assigns and legal representatives, that the interest and property hereby conveyed is free from all prior assignment, grant, mortgage, license or other encumbrance.

IN WITNESS WHEREOF, I, **John H. McClutchy, Jr.**, hereunto set my hand and seal this 2 day of August, 2001.



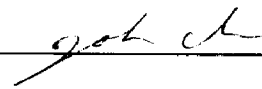
John H. McClutchy, Jr.

STATE OF CONNECTICUT

COUNTY OF Hartford

I, John Cheon, a Notary Public, do hereby certify that the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered said instrument as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2 day of August, 2001.

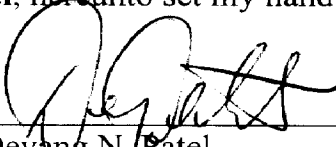

_____, Notary Public

My Commission Expires: June 30, 2006

JOHN CHEON
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2006

I covenant to ASSIGNEE, its successors, assigns and legal representatives, that the interest and property hereby conveyed is free from all prior assignment, grant, mortgage, license or other encumbrance.

IN WITNESS WHEREOF, I, **Devang N. Patel**, hereunto set my hand and seal this 2nd day of August, 2001.



Devang N. Patel

STATE OF CONNECTICUT

COUNTY OF Hartford

I, John Cheon, a Notary Public, do hereby certify that the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered said instrument as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2 day of August, 2001.


_____, Notary Public

My Commission Expires: June 30, 2006

JOHN CHEON
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2006

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