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REC

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings

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

1. Name of conveying party(ies):

John Alvis Latting
Ivan R. Wells
Brett A. Randol

05/16/01

2. Name and address of receiving party(ies)

Name: Rosen's, Inc.

Internal Address:

SEP 27 2001

Street Address: 1120 Lake Avenue

City: Fairmont State: MN Zip: 56031

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: 5-1-00

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)

B. Patent No.(s) 5,679,128

Additional numbers attached? Yes No

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

Name: Stephen E. Guetter

Internal Address:

Street Address: 1120 Lake Avenue

City: Fairmont State: MN Zip: 56031

6. Total number of applications and patents involved:

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

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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.

John A. Latting

Name of Person Signing

Signature

May 1, 2000

Date

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

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments Washington, D.C. 20231

10/01/2001 TBIAZI 00000076 5679128
01 FC:581 40.00 OP

ASSIGNMENT OF PATENT

WHEREAS, John Latting, Ivan Wells, and Brett Randol (collectively, "Assignors") are the inventors and owners of United States Letters Patent No. 5,679,128 dated October 21, 1997;

WHEREAS, Assignor has an undivided right, title and interest in and to Patent No. 5,679,128;

WHEREAS, Rosen's, Inc., a Minnesota corporation (hereinafter "Assignee"), wishes to acquire Assignor's undivided right, title and interest in and to Patent No. 5,679,128;

WHEREAS, Assignor desires to grant all right, title and interest in and to Patent No. 5,679,128 immediately upon execution of this Assignment and effective from the date hereof;

NOW THEREFORE, for consideration paid, the receipt of which is hereby acknowledged,

1. Assignor sells, assigns, transfers, and sets over unto the Assignee, Assignor's entire undivided right, title and interest in and to: U.S. Letters Patent No. 5,679,128 dated October 21, 1997.
2. Assignor sells, assigns, transfers and sets over unto the Assignee, any and all rights appurtenant to or deriving from said letters patent, including but not limited to any and all rights to use thereof or profits or income therefrom.
3. Assignor intends to have all right, title, interest and use of the patent, assigned herein, to vest in Assignee upon the execution of both this Assignment and the execution of the Patent Recordation Form required by the United States Patent and Trademark Office. Assignor shall take all necessary steps to properly and immediately file the Patent Recordation Form with the United States Patent and Trademark Office. Any delay in the filing of the Patent Recordation Form does not effect Assignee's right, title, interest and use of the patent assigned herein.
4. Assignor appoints Assignee as and for Assignor's true and lawful attorney, with full power of substitution, to institute and prosecute, and to defend, in Assignor or Assignee's name, or both, for Assignee's benefit, any and all proceedings at law or in equity or otherwise, which Assignee deems necessary, appropriate or helpful to perfect, assert, enforce or protect U.S. Letters Patent No. 5,679,128 dated October 21, 1997 and/or any rights appurtenant to or deriving from said letters patent. The foregoing appointment shall extend to each successor and assignee of Assignee.

Assignor represents and warrants to Assignee that Assignor has not previously assigned any of Assignor's undivided right, title, interest in or to Patent No. 5,679,128 or said rights.

Effective this 1st day of May, 2000.

ASSIGNORS:

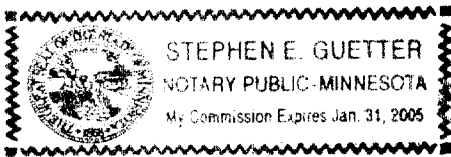
John Latting
John Latting, Inventor

Ivan Wells
Ivan Wells, Inventor

Brett Randol
Brett Randol, Inventor

STATE OF MN)
) ss.
COUNTY OF Martin)

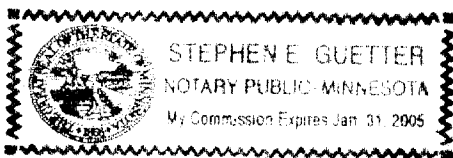
On this 15th day of May, 2000, before me, the undersigned, a Notary Public in and for the State of MN, personally appeared John Latting, to me personally known and acknowledged that the execution of said instrument was a free and voluntary act.



Stephen E. Guetter
Notary Public

STATE OF MN)
) ss.
COUNTY OF Martin)

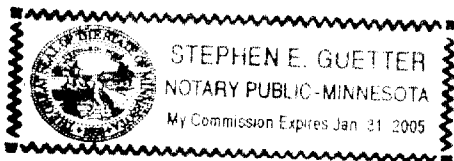
On this 15th day of May, 2000, before me, the undersigned, a Notary Public in and for the State of MN, personally appeared Ivan Wells, to me personally known and acknowledged that the execution of said instrument was a free and voluntary act.



Stephen E. Guetter
Notary Public

STATE OF MN)
) ss.
COUNTY OF Martin)

On this 15th day of MAY, 2000, before me, the undersigned, a Notary Public in and for the State of MN, personally appeared Brett Randol, to me personally known and acknowledged that the execution of said instrument was a free and voluntary act.



Stephen E. Guetter
Notary Public