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10-09-2001



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PATENT



Practitioner's Docket No. U 013525-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10-101

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

NOTE: "Documents and cover sheets to be recorded should be addressed to Assistant Commissioner for Patents, Box Assignments, Washington, D.C. 20231, unless they are filed together with new applications or with a petition under § 3.81(b)." 37 C.F.R. § 3.27.

ASSIGNMENT (DOCUMENT) COVER SHEET (37 C.F.R. § 3.31)

NOTE: "A cover sheet may not refer to both patents and trademarks." 37 C.F.R. § 3.31(b).

Attached please find an assignment (document) for recordal.

09891094

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10\*

with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

transmitted by facsimile to the Patent and Trademark Office.

\_\_\_\_\_  
Signature  
**CLIFFORD J. MASS**  
\_\_\_\_\_  
(Type or print name of person certifying)

Date: September 26, 2001

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

10/05/2001 DBYRNE 00000250 09891094  
01 FC:581 40.00 DP

(Assignment (Document) Cover Sheet—page 1 of 6) 16-6

PATENT  
REEL: 012216 FRAME: 0115

**IDENTIFICATION OF APPLICATION(S) AND/OR PATENT(S)  
FOR ASSIGNMENT (DOCUMENT) RECORDAL**  
(37 C.F.R. § 3.21 and 37 C.F.R. § 3.31(a)(4))

NOTE: See 37 C.F.R. §3.21.

NOTE: § 3.21 does not apply to documents other than assignment. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

1. This assignment is for the following patent application or issued patent:

NOTE: Do NOT enter both application AND patent number.

National application: SN: 09/891,094 filed on JUNE 25, 2001  
Provisional application: filed on \_\_\_\_\_  
International application: PCT  
Patent No: Issued: \_\_\_\_\_  
(complete if applicable) which was previously assigned and recorded

Date \_\_\_\_\_ Reel \_\_\_\_\_  
Frame \_\_\_\_\_

NOTE: If an assignment of a patent application filed under § 1.53(b) is executed concurrently with, or subsequent to, the execution of the patent application, but before the patent application is filed, it must identify the patent application by its date of execution, name of each inventor, and title of the invention so that there can be no mistake as to the patent application intended. If an assignment of a provisional application under § 1.53(c) is executed before the provisional application is filed, it must identify the provisional application by name of each inventor and title of the invention so that there can be no mistake as to the provisional application intended. 37 C.F.R. § 3.21.

(also complete the following, if applicable)

[ ] and also for the applications and/or patents  
shown on the attached list of FURTHER  
APPLICATION(S) and/or PATENT(S) BEING ASSIGNED

Number of pages added \_\_\_\_\_

NOTE: "Where there is a listing of properties contained within a document, any listing may be copied and attached to the cover sheet to reduce the amount of typing necessary. A notation of this attachment can be made in lieu of entering every property identification number on the cover sheet." Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

**TOTAL NUMBER OF APPLICATIONS AND/OR PATENTS  
AND TOTAL FEE**

NOTE: All requests to record documents must be accompanied by the appropriate fee; a fee is required for each application or patent against which the document is recorded as identified in the cover sheet. The recording fee is set in § 1.21(h). 37 C.F.R. §3.41.

2. A. The total number of applications and/or patents identified in this cover sheet is 1

B. The total fee is (37 C.F.R. § 1.21(h)):

1 x \$40.00 = \$ 40.00  
Total number of applications  
and/or patents

C. Payment of fee is made by:

the attached check for \$ 40.00.

Please charge Account \_\_\_\_\_

the sum of \$ \_\_\_\_\_.

A duplicate of this cover sheet is attached.

Please charge Account 12-0425 for any fee deficiency or credit to account any overpayment.

**NAME OF PARTY(IES) CONVEYING INTEREST**

(37 C.F.R. § 3.31(a)(1))

*NOTE* "The term 'party' as used in this rule [§ 3.31] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the documents." Notice of June 24, 1992 (1140 O.G. 63-72, at 65); M.P.E.P. § 302.07, 6th ed.

3. The party(ies) conveying interest is (are):

Name 1: **PETER KENNETH SEEAR**

Name 2:

Name 3:

**NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST**

(37 C.F.R. § 3.31 (a)(2))

4. The rights are being conveyed to:

Name: Cutting Edge Technology Pty Ltd.

Address: ACN 071 550 911 of Bainbridge Drive  
Pinjarra Hills Queensland 4069 Australia

**DESCRIPTION OF INTEREST CONVEYED OR  
TRANSACTION RECORDED (37 C.F.R. § 3.31 (a)(3))**

5. The accompanying document intends to accomplish:

an assignment.

a security agreement.

a merger.

a license.

a change of name.

a change of address.

other:

**NAME AND ADDRESS OF PARTY TO WHOM  
CORRESPONDENCE SHOULD BE MAILED (37 C.F.R. § 3.31 (a)(5))**

6. Please address correspondence to:

Name: Clifford J. Mass  
Address: c/o Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, New York 10023  
Telephone No.: (212) 708-1890

**DATE ASSIGNMENT (DOCUMENT) EXECUTED  
(37 C.F.R. § 3.31(a)(7))**

7. A.  The attached assignment (document) was executed on September 19, 2001.  
Date

**OR** *If there is more than one conveying party who executed on different dates, indicate the date of execution of the assignment document for each conveying party.*

B.  The attached assignment was executed by \_\_\_\_\_  
Name  
on \_\_\_\_\_ .  
Date

The attached assignment was executed by \_\_\_\_\_  
Name  
on \_\_\_\_\_ .  
Date

The attached assignment was executed by \_\_\_\_\_  
Name  
on \_\_\_\_\_ .  
Date

The attached assignment was executed by \_\_\_\_\_  
Name  
on \_\_\_\_\_ .  
Date

The attached assignment was executed by \_\_\_\_\_  
Name  
on \_\_\_\_\_ .  
Date

**LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED**

*NOTE: "The Office will accept and record non-English language documents only if accompanied by an English translation signed by the individual making the translation," 37 C.F.R. § 3.26.*

8. The attached document:  
     is in the English language.  
     is not in the English language and an English translation signed by the individual making the translation is attached.

**ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED**

*NOTE: See 37 C.F.R. § 3.24.*

9. Submitted herewith is:  
     the original document.  
     a true copy of the original document, which I certify to be a true copy.

*NOTE: "If the original [assignment] document is two-sided or the wrong size, the practitioner can comply with the requirement [set out in 37 C.F.R. § 3.24] by providing a true copy of the original document using only one side of each page on the correct size paper." Notice of June 24, 1992, 1140 O.G. 63-76, at 67.*

*NOTE: "Certification shall be made by the person submitting a copy of an original document that the document submitted is a true copy of the original. The certification is not required to be in an oath or declaration form." M.P.E.P., 6th ed., § 302.01.*

**ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF ADDRESS**

*(check item, if applicable)*

10.  Because the purpose of the attached documents is to record a change of address of the assignee, the particulars of the previously recorded assignments for each application and/or patent are shown.

*NOTE: "Attach Change of Address 16-6."*

**ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF NAME**

*(check item, if applicable)*

11.  Because the purpose of the attached documents is to record a change of name of the assignee, the particulars of the previously recorded assignments for each application and/or patent are shown.

*NOTE: "Attach Change of Name."*

**CHANGE OF PATENT MAINTENANCE FEE ADDRESS**

*(check item, if applicable)*

12. [ ] A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent to the Office separately.

**STATEMENT (37 C.F.R. § 3.31(a)(9)) AND  
SIGNATURE (37 C.F.R. § 3.31(a)(10))**

13. 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.

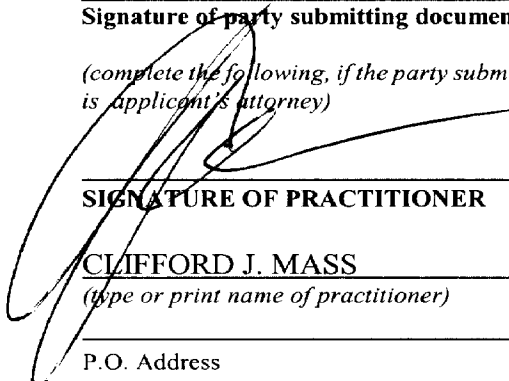
*NOTE: "The term 'party' as used in this rule [§ 3.31] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the document." Notice of June 24, 1992, 1140 O.G. 63-76, at 65; M.P.E.P. § 302.07 6th ed.*

Date: September 26, 2001

\_\_\_\_\_  
Name of party submitting document

\_\_\_\_\_  
**Signature of party submitting document**

*(complete the following, if the party submitting the document is applicant's attorney)*



\_\_\_\_\_  
**SIGNATURE OF PRACTITIONER**

CLIFFORD J. MASS

*(type or print name of practitioner)*

\_\_\_\_\_  
P.O. Address

c/o Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023

Reg. No.: 30,086

Tel. No.: (212) 708-1890

Customer No.: 00140

**TOTAL NUMBER OF PAGES BEING SUBMITTED**

14. The total number of pages being submitted, **including cover sheet attachment(s), and documents** are:

9  
Total number of pages submitted

For: [ ] U.S. and/or [ ] Foreign Rights  
 For: [X] U.S. Application or  
       [ ] U.S. Provisional Application  
 For: [ ] U.S. Patent  
 For: [ ] PCT Application  
 By: [X] Inventor(s) or [ ] Present Owner

**ASSIGNMENT OF INVENTION**

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNOR:**

Inventor(s) or person(s) or entity(ies)  
who own the invention

Peter Kenneth Seear  
*(type or print name(s) of ASSIGNOR(S))*  
10 Brookfield Lodge, Upper Brookfield Road  
 Address  
Brookfield Queensland 4069 Australia  
  
Australia  
 Nationality

*(if assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO, add the following)*

Recorded on \_\_\_\_\_ Reel \_\_\_\_\_  
 Frame \_\_\_\_\_

hereby sells, assigns and transfers to

**ASSIGNEE:**

Cutting Edge Technology Pty Ltd.  
*(type or print name(s) of ASSIGNEE(S))*  
  
ACN 071 550 911 of Bainbridge Drive  
 Address  
Pinjarra Hills Queensland 4069 Australia  
  
Australia  
 Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

- the entire right, title and interest
- an undivided \_\_\_\_\_ percent ( \_\_\_\_\_ %) interest

for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

- and in all foreign countries, including all rights to claim priority,

in and to any and all improvements which are disclosed in the invention entitled:

A METHOD OF MINING

Name of inventor(s) Peter Kenneth Seear

(check and complete (a), (b), (c), (d), (e), (f) or (g))

and which is found in (37 C.F.R. § 3.21)

- (a)  U.S. patent application executed on even date herewith
- (b)  U.S. patent application executed on \_\_\_\_\_
- (c)  U.S. provisional application naming the above inventor(s) for the above-entitled invention.
  - Express mail label no.: \_\_\_\_\_
  - Mailed: \_\_\_\_\_
- To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.
- (d)  U.S. application no. 09/891,094 filed on June 25, 2001
- (e)  International application no. PCT / \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_
- (f)  U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_
  - A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

- (g)  and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

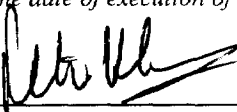


ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

**WARNING:** *The date of signing must be the same as the date of execution of the application, if item (a) was checked above.*

Date: (X) 19 SEP 2001

(X)   
Signature of ASSIGNOR(S)

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

*(if ASSIGNOR is a legal entity, complete the following information)*

\_\_\_\_\_  
*(type or print the name of the above person authorized to sign on behalf of ASSIGNOR)*

\_\_\_\_\_  
Title

**NOTE:** *No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.*

[ ] Notarization or Legalization Page Added.