

01-24-2002



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

<p>1. Name of conveying party(ies): Thomas F. Rust Joanne P. Culver (Deceased)</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Nanochip, Inc.</u></p> <p>Address: <u>43 Asilomar Circle</u> <u>Oakland, California</u></p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>10/30/01</u></p>	
<p>4. Application number(s) or patent number(s):</p> <p>A. Patent Application No.: 08/ 090,664 B. Confirmation No.:</p> <p>Title: MOLECULAR MEMORY MEDIUM AND MOLECULAR MEMORY DISK DRIVE FOR STORING INFORMATION USING A TUNNELLING PROBE</p> <p>Filed Date: <u>7/13/93</u></p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p>	<p>C. Patent No(s): 5 453,970</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Sheldon R. Meyer</u></p> <p>Address: <u>Fliesler Dubb Meyer & Lovejoy LLP</u> <u>Four Embarcadero Center, Fourth Floor</u> <u>San Francisco, CA 94111</u></p> <p>Telephone: <u>(415) 362-3800</u></p>	<p>6. Total Number of applications and patents involved: <u>1</u> X \$40.00 each</p> <p>7. Total fee (37 CFR 3.41).....\$ <u>40.00</u></p> <p><input checked="" type="checkbox"/> Check Enclosed</p> <p>8. Fee Authorization. Authorization is given to charge any additional fees or credit any overpayment to Deposit Account No. 06-1325. Copy. (A duplicate copy of this authorization is <u>not</u> enclosed.)</p>
<p>9. Statement and signature of <u>Sheldon R. Meyer</u> <i>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.</i></p> <p><u>Sheldon R. Meyer</u> _____ Attorney (Reg. No.: <u>27,660</u>) Signature</p> <p>_____ Date</p>	
<p>10. Total number of pages to be recorded: <u>5</u> (1 page cover sheet and <u>4</u> page document).</p>	



JOINT TO CORPORATE ASSIGNMENT (USA)

WHEREAS, the undersigned Inventors:

(1) Thomas F. Rust
a resident of 43 Asilomar Circle, P.O. Box 13249, Oakland, California 94661; and

(2) Joanne P. Culver (Deceased)
a resident of 43 Asilomar Circle, P.O. Box 13249, Oakland, California 94661; and

have invented certain new and useful improvements in:

MOLECULAR MEMORY MEDIUM AND MOLECULAR MEMORY DISK DRIVE FOR STORING INFORMATION USING A TUNNELLING PROBE

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, and said application having SC/Serial Number 08/090,664 and filed on the 13th day of July, 1993, now U.S. Patent No. 5,453,970 issued September 26, 1995.

WHEREAS Nanochip, Inc. (hereinafter termed "Assignee"), a corporation of the State of California, having a place of business at 43 Asilomar Circle, Oakland, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for

reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date as given below and delivered this instrument to said Assignee:

By: **Thomas F. Rust**

(1) 
Thomas F. Rust

Date: 10/30/01

State of _____)
County of _____)

On _____ before me, _____,
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

By: **Thomas F. Rust, Legal Representative and
Executor of the Will of Joanne P. Culver for Joanne
P. Culver (Deceased)**

(2) Thomas F. Rust
Thomas F. Rust

Date: 10/30/01

State of _____)
County of _____)

On _____ before me, _____,
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, County, City, and Address):
 MARGARET M. HAND
 JOHNSTON, HORTON, ROBERTS & HAND
 1901 HARRISON STREET, SUITE 1500
 OAKLAND, CA 94612

TELEPHONE AND FAX NOS.
 167510
 510-452-2133
 510-452-2280

ATTORNEY FOR (Name): THOMAS F. RUST

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

STREET ADDRESS: 1225 FALLON STREET

MAILING ADDRESS:

CITY AND ZIP CODE: OAKLAND, CA 94612

BRANCH NAME: NORTHERN CALIFORNIA

ESTATE OF (Name): JOANNE P. CULVER

DECEDENT

FOR COURT USE ONLY

FILED
 ALAMEDA COUNTY

JAN 27 2000

CLERK OF THE SUPERIOR COURT
 By Cecilia Anchondo
 DEPUTY

CASE NUMBER:

252462-1

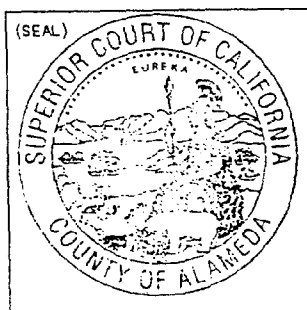
LETTERS

- ☒ TESTAMENTARY ☐ OF ADMINISTRATION
☐ OF ADMINISTRATION WITH WILL ANNEXED ☐ SPECIAL ADMINISTRATION

LETTERS

- ☒ The last will of the decedent named above having been proved, the court appoints (name):
 THOMAS F. RUST
 a. ☒ executor.
 b. ☐ administrator with will annexed.
- ☐ The court appoints (name):
 a. ☐ administrator of the decedent's estate.
 b. ☐ special administrator of decedent's estate
 (1) ☐ with the special powers specified in the Order for Probate.
 (2) ☐ with the powers of a general administrator.
 (3) ☐ letters will expire on (date):
- ☒ The personal representative is authorized to administer the estate under the Independent Administration of Estates Act ☒ with full authority
☐ with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
- ☐ The personal representative is not authorized to take possession of money or any other property without a specific court order.

WITNESS, clerk of the court, with seal of the court affixed.



Date: JAN 27 2000

Clerk, by
 RONALD G. OVERHOLT, Exec. Off./Clerk

Cecilia Anchondo
 (DEPUTY)

AFFIRMATION

- ☐ PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
- ☒ INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
- ☐ INSTITUTIONAL FIDUCIARY (name):

I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
 (Name and title):

- Executed on (date):
 at (place): OAKLAND, CA, California.

Thomas F. Rust
 (SIGNATURE)

CERTIFICATION

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.



Date: JUN 27 2000

Clerk, by

Aida S. Linares
 (DEPUTY)