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03-05-2002



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HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Resubm

Any Docket No. M8540/259251

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

1. Name of conveying party(ies):

10-977

Jerry W. ZIMMER
sp3

2. Name and address of receiving party(ies)

Name: Diamonex Incorporated

Internal Address _____

Street Address: 7331 William Avenue

City: Allentown State: Pennsylvania Zip: 18106-9328

Additional names(s) & address(es) attached? Yes No

Additional names(s) of conveying party(ies) attached Yes No

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other: _____

Execution Date: September 20, 2001

4. Application numbers(s) or patent 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)

B. Patent No (s)

6,054,183

Additional numbers attached? Yes No

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

Name: John S. Pratt
 Internal Address: Kilpatrick Stockton LLP
Suite 2800
 Street Address: 1100 Peachtree Street
 City: Atlanta State: GA Zip 30309-4530

6. Total number of applications and patents involved:

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

Enclosed The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0855.

Authorized to be charged to deposit account

8. Deposit account number:

11-0855

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.

Dean W. Russell Reg. No. 33,452

Dean W. Russell

4 October 2001

Name of Person Signing

Signature

Date

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

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

CONFIRMATORY ASSIGNMENT

WHEREAS, JERRY W. ZIMMER (hereinafter "ZIMMER") has invented certain improvements described and claimed in U.S. Patent No. 6,054,183 issued on April 25, 2000; and

WHEREAS, ZIMMER is employed by sp³, a California corporation having a principal place of business at 505 East Evelyn Avenue, Mountain View, California 94041, which has obtained all of ZIMMER's right, title and interest in and to said patent and to the invention disclosed therein at least by virtue of its employment of ZIMMER; and

WHEREAS, pursuant to a Technology Transfer and Ownership Agreement entered into by sp³ effective as of November 30, 2000, sp³ assigned all of its rights to said patent and invention to DIAMONEX INCORPORATED (hereinafter "DIAMONEX"), as of that date a Delaware corporation having a principal place of business at 7331 William Avenue, Allentown, Pennsylvania 18106-9328;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration previously paid by DIAMONEX, the receipt and sufficiency of which are hereby acknowledged, sp³ and ZIMMER hereby confirm they have directly or indirectly sold, assigned, transferred and conveyed, as of November 30, 2000, all of their entire right, title and interest in and to said U.S. Patent No. 6,054,183 and in and to the invention set forth therein and in and to any reissues, renewals, divisionals, or continuations thereof, together with all claims for damages by reason of past infringement of the patent and the right to sue for and collect such damages for its own use, the same to be held and enjoyed by DIAMONEX for its own use and enjoyment and the use and enjoyment of its successors, assigns or other legal representatives to the full end of the term for which the patent is granted or reissued as fully and entirely as the same

U.S. Patent No. 6,054,183
Issued: April 25, 2000
Confirmatory Assignment

would have been held and enjoyed by sp³ and JERRY W. ZIMMER if this assignment and sale had not been made.

IN WITNESS WHEREOF, we have hereunto set our hand and seal this 20th day of September, 2001.

sp³

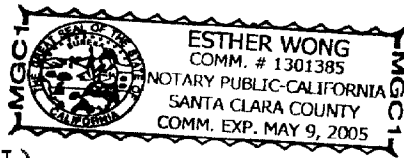
By: [Signature]
Printed Name: Jerry W. Zimmer
Title: Vice President Technology

JERRY W. ZIMMER

[Signature]

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

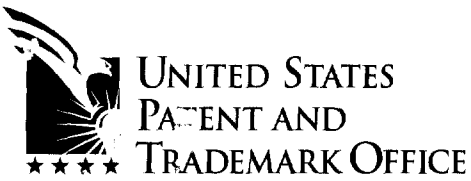
On this 20th day of SEPTEMBER, 2001, before me, a notary public, came Jerry W. Zimmer, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.



(SEAL)

[Signature]
Notary Public

My Commission expires: 5-9-05



DECEMBER 21, 2001

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

KILPATRICK STOCKTON LLP
JOHN S. PRATT
SUITE 2800
1100 PEACHTREE STREET
ATLANTA, GA 30309-4530



101880156A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 101880156

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

- 1. PLEASE CLARIFY THE SECOND NAME (SP3) IN THE CONVEYING PARTY'S BOX AND WHERE IS THE EXECUTED DOCUMENT ASSIGNING TO THE ASSIGNEE.

DIANE RUSSELE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

11/8/02 mmw
11/7/02
259251