

(Rev. 03-01) 9-401  
OMB NO. 0651-0011 (exp. 5/31/2002) RE



To the Honorable Commissioner of Patents and Trademarks:

copy thereof.

1. Name of conveying party(ies):

102028266

receiving party(ies)

Donald L. Wietzke

3.22.02

Name: THE BABCOCK & WILCOX COMPANY

Internal Address: \_\_\_\_\_

Additional name(s) of conveying

party(ies) attached?  Yes  No

Street Address: 1615 Poydras Street

3. Nature of conveyance:

City: New Orleans State: LA ZIP: 70112

Assignment  Merger

Additional name(s) & address(es) attached?

Security Agreement  Change of Name

Yes  No

Other \_\_\_\_\_

Execution Date June 28, 2001

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)  
Serial No. 09/865,609  
Case No. 6111

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

6. Total number of applications and patents involved: 1

Eric Marich  
The Babcock & Wilcox Company  
Patent Department  
20 S. Van Buren Avenue  
Barberton, Ohio 44203

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

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

50-1813

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

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*S.R.G.O.K.*

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.

Eric Marich, Req. No. 32,265  
Name of Person Signing

*x Eric Marich*  
Signature

*x 21 March 2002*  
Date

Total number of pages including cover sheet, attachments, and document: 8

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

THIS ASSIGNMENT made the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by DAVID J. WALKER, residing at 185 Dawna Drive, Wadsworth, Ohio 44281; made the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by MIKHAIL MARYAMCHIK, residing at 2807 Summit Road, Copley, Ohio 44321; made the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by KIPLIN C. ALEXANDER, residing at 476 Rolling Hills Drive, Wadsworth, Ohio 44281; made the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by SUNDARA M. KAVIDASS, residing at 1339 Cherrywood Way, Uniontown, Ohio 44685; made the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by FELIX BELIN, residing at 625 West Fitzwater Road, Brecksville, Ohio 44141; made the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by DAVID E. JAMES, residing at 1430 Harden Drive, Barberton, Ohio 44203; made the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by DAVID R. GIBBS, residing at 2745 Graham Dr. N.E., Lancaster, Ohio 43130; and made the 28 day of June, 2001, by DONALD L. WIETZKE, residing at 7832 Quebrada Circle, Carlsbad, California 92009, all citizens of the United States of America;

WITNESSETH: That

WHEREAS, we are the joint inventors of a certain new and useful improvement and invention in

COOLED TUBES ARRANGED TO FORM IMPACT TYPE PARTICLE SEPARATORS

for which we have prepared and filed an application for Letters Patent of the United States on May 25, 2001 having application Serial No. 09/865,609; and

WHEREAS, THE BABCOCK & WILCOX COMPANY, a Corporation organized under the laws of the state of Delaware, U.S.A., and having its principal office at New Orleans, Louisiana, U.S.A., is desirous of acquiring the entire right, title, and interest in and to said improvement and invention, and any and all Letters Patent which shall be granted therefor;

NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, we, DAVID J. WALKER, MIKHAIL MARYAMCHIK, SUNDARA M. KAVIDASS, KIPLIN C. ALEXANDER, FELIX BELIN, DAVID E. JAMES, DAVID R. GIBBS and DONALD L. WIETZKE, have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said THE BABCOCK & WILCOX COMPANY, its successors and assigns, the entire right, title, and interest in and to the above-mentioned improvement, invention, and application for Letters Patent therefor, and in and to any and all Letters Patent of the United States which may

be hereinafter be granted therefor, and in and to any and all extensions, divisions, or reissues of said Letters Patent, the same to be held and enjoyed by said THE BABCOCK & WILCOX COMPANY, for its own use and behoof, and the use and behoof of its successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made;

AND, for the consideration aforesaid, we hereby covenant and agree with said THE BABCOCK & WILCOX COMPANY, its successors and assigns, that at the time of the execution and delivery of these presents, we are the joint and lawful owners of the entire right, title, and interest in and to the above-mentioned improvement, invention, application, and Letters Patent above mentioned, and that the same are unencumbered, and that we have good right and lawful authority to sell and convey the same in the manner herein set forth;

AND, for the consideration aforesaid, we hereby covenant and agree with said THE BABCOCK & WILCOX COMPANY, its successors and assigns, that we will, whenever its counsel or the counsel of its successors or assigns, learned in the law, shall advise that an amendment or division or any other proceeding in connection with said application, including interference proceedings, is lawful and desirable or that a reissue or extension of said Letters Patent is lawful and desirable, sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said improvement and invention, or for the reissue or extension of same, without charge to said THE BABCOCK & WILCOX COMPANY, or its successors or assigns, but at its or their expense.

We hereby request the Honorable Commissioner of Patents and Trademarks of the United States to issue the Letters Patent in accordance with this instrument.

AND, for the consideration aforesaid, we have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said THE BABCOCK & WILCOX COMPANY, its successors, assigns, or nominees, the entire right, title, and interest in and to any and all Letters Patent or other form of protection which may be granted in countries foreign to the United States, and in and to any and all applications for Letters Patent or other form of protection which may be filed for said improvement and invention in countries foreign to the United States, and in and to the invention described in said applications; and we hereby authorize and empower said THE BABCOCK & WILCOX COMPANY, its successors, assigns, or nominees, to apply for Letters Patent, or other form of protection, on said improvement and invention, in its own name or in the name of its successors, assigns, or nominees, in any and all



ASSIGNMENT TO THE BABCOCK & WILCOX COMPANY

CASE 6111

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared MIKHAIL MARYAMCHIK, to me known and known to me to be the person described in and who executed the foregoing instrument; and he acknowledged to me that he executed the same for the purpose therein stated.

\_\_\_\_\_  
SEAL

\_\_\_\_\_  
KIPLIN C. ALEXANDER

WITNESSES:

\_\_\_\_\_  
STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared KIPLIN C. ALEXANDER, to me known and known to me to be the person described in and who executed the foregoing instrument; and they acknowledged to me that he executed the same for the purpose therein stated.

\_\_\_\_\_  
SEAL

\_\_\_\_\_  
SUNDARA M. KAVIDASS

WITNESSES:

\_\_\_\_\_  
STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared SUNDARA M. KAVIDASS to me known and known to me to be the person described in and who executed the foregoing instrument; and he acknowledged to me that he executed the same for the purpose therein stated.

\_\_\_\_\_  
SEAL



ASSIGNMENT TO THE BABCOCK & WILCOX COMPANY

CASE 0111

On this, the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, before me personally appeared DANIEL R. GIBBS, to me known and known to me to be the person described in and who executed the foregoing instrument; and he acknowledged to me that he executed the same for the purposes therein stated.

SEAL

Donald L. Wietzke  
DONALD L. WIETZKE

WITNESSES:

[Signature]

[Signature]

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

ss.

People's Republic of China )  
Municipality of Beijing ) **SS:**  
Embassy of the United )  
States of America )

On this, the 28 day of June, 2001, before me personally appeared DONALD L. WIETZKE, to me known and known to me to be the person described in and who executed the foregoing instrument; and he acknowledged to me that he executed the same for the purpose therein stated.

Mrs Bookbinder

SEAL

Mrs Bookbinder  
Consulting Associate