



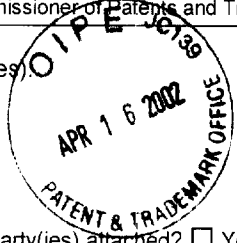
4.16.02

Tab settings

102062920

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

1. Name of conveying party(ies)  
The Bank of Nova Scotia



2. Name and address of receiving party(ies)

Name: Fantom Technologies Inc.

Internal Address:

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

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other

Street Address: 1110 Hansler Road

City: Welland State: Ontario Zip: L3B 5S1

Country: Canada

Execution Date: February 26, 2002

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 data of the application is:

A. Patent Application No.(s)  
As per attached Schedule A

B. Patent No.(s)  
As per attached Schedule A

Additional numbers attached?  Yes  No

6328527

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

Name: Philip C. Mendes da Costa

Internal Address:

Street Address: 40 King Street West

Box 401

City: Toronto State: Ontario Zip: M5H 3Y2

Country: Canada

6. Total number of applications and patents involved: 64

7. Total fee (37 CFR 3.41) . . . . . \$ 2,560.00

Enclosed (cheque No. 4308)

Authorized to be charged to deposit account

8. Deposit account number:

022095

(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.

Philip C. Mendes da Costa

Name of Person Signing

Signature

April 15, 2002

Date

B&P File#5562-1045

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

Mail documents to be recorded with required cover sheet information to:

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

04/19/2002 LUELLER 00000157 6328527

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2560.00 00

# SCHEDULE A

PATENT NUMBER:	6328527
SERIAL NUMBER:	09350929
SERIAL NUMBER:	09239860
SERIAL NUMBER:	09478891
SERIAL NUMBER:	09417836
SERIAL NUMBER:	09478901
SERIAL NUMBER:	09595175
SERIAL NUMBER:	09917740
SERIAL NUMBER:	09849525
SERIAL NUMBER:	09758246
SERIAL NUMBER: -	09758262
SERIAL NUMBER:	09758251
SERIAL NUMBER:	09758247

SERIAL NUMBER:	09758250
SERIAL NUMBER:	09758252
SERIAL NUMBER:	09758253
SERIAL NUMBER:	09758254
SERIAL NUMBER:	09758255
SERIAL NUMBER:	60252425
PATENT NUMBER:	6312606
SERIAL NUMBER:	09679354
SERIAL NUMBER:	09679353
SERIAL NUMBER:	09637573
SERIAL NUMBER:	09758256
SERIAL NUMBER:	09576249
SERIAL NUMBER:	09758181
SERIAL NUMBER:	29123835
PATENT NUMBER:	6238451
PATENT NUMBER:	6183641
PATENT NUMBER:	6174127
PATENT NUMBER:	6135708

PATENT NUMBER:	6238177
PATENT NUMBER:	6261052
PATENT NUMBER:	6217635
PATENT NUMBER:	6153111
PATENT NUMBER:	6224325
PATENT NUMBER:	6156100
PATENT NUMBER:	6235207
PATENT NUMBER:	6060027
PATENT NUMBER:	5974625
PATENT NUMBER:	5267371
PATENT NUMBER:	5358290
PATENT NUMBER:	6173474
PATENT NUMBER:	6280143
PATENT NUMBER:	6190622
PATENT NUMBER:	6274053
PATENT NUMBER:	6280633
PATENT NUMBER:	6243917

PATENT NUMBER:	6101672
PATENT NUMBER:	6098244
PATENT NUMBER:	6123779
PATENT NUMBER:	6099661
PATENT NUMBER:	6170119
PATENT NUMBER:	6261379
PATENT NUMBER:	6162283
DESIGN PATENT NUMBER:	D430263
DESIGN PATENT NUMBER:	D439631
DESIGN PATENT NUMBER:	D425601
DESIGN PATENT NUMBER:	D414241
DESIGN PATENT NUMBER:	D417533
DESIGN PATENT NUMBER:	D407875
DESIGN PATENT NUMBER:	D407874
DESIGN PATENT NUMBER:	D407873
DESIGN PATENT NUMBER:	D365669

# ASSIGNMENT OF INTELLECTUAL PROPERTY

---

WHEREAS **FANTOM TECHNOLOGIES INC.** (hereinafter referred to as "**FANTOM**") was the owner of certain intellectual property rights as described in Schedule A (hereinafter referred to as the "**IP Rights**");

AND WHEREAS **FANTOM** assigned the IP Rights to **THE BANK OF NOVA SCOTIA** (hereinafter referred to as "**BNS**") as security for its obligations to **BNS** and, as a result, the IP Rights were registered in the name of **BNS**;

AND WHEREAS **BNS** desires to reassign the IP Rights to **FANTOM** such that **FANTOM** becomes the registered owner of the IP Rights.

AND WHEREAS **PRICEWATERHOUSECOOPERS INC.** was appointed as interim receiver of **FANTOM** pursuant to an Order of the Honourable Mr. Justice Farley of the Ontario Superior Court of Justice (the "**Court**") on October 25, 2001;

NOW THEREFORE, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, **BNS** declares as follows:

**BNS**, the full post office address of whose principal office or place of business is 44 King Street, 16<sup>th</sup> Floor, Toronto, Ontario, M5H 1H1, hereby reassigns and transfers unto **FANTOM**, whose full post office address is 1110 Hansler Road, Welland, Ontario L3B 5S1, all of the IP Rights, including without limitation, (i) the industrial design applications and registrations set out in Schedule A hereto and the industrial designs described, shown and claimed therein; and (ii) the patents and applications identified in Schedule A hereto and the inventions described or claimed therein, and any and all continuations, continuations-in-part, divisions, renewals, reissues and substitutes for said patents and applications, and in and to any and all Letters Patent which may be granted on or as a result of the said applications and any issue or reissues or extensions or

re-examinations of said Letters Patent, the same to be held and enjoyed by FANTOM, as fully and entirely as the same could have been held and enjoyed by BNS if this reassignment and transfer had not been made.

Notwithstanding this reassignment and transfer by BNS to FANTOM, BNS shall continue to hold a security interest in the IP Rights and the proceeds therefrom, subject to the terms of any order which may be made by the Court vesting the IP Rights in a purchaser free and clear of the claims or interests being asserted by any party against the assets, including the IP Rights, of Fantom.

BNS authorizes and empowers FANTOM, its assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for any invention set out in the Schedule A hereto or for additions and modifications thereto, filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from BNS.

The Commissioner of Patents & Trademarks is hereby authorized and requested to issue said Letters Patent to FANTOM or its successors or assigns, for its or their sole use and benefit; to the full end of the term for which Letters Patent may be granted, as fully and entirely as the same would have been held by BNS had this reassignment and transfer not been made.

BNS undertakes, at any time, upon reasonable request, to sign such documents and do such things as may be reasonably required to register and convey the IP Rights conveyed herein to FANTOM or any of its successors or assigns, all without further consideration, but at the sole expense of FANTOM or any of its successors or assigns.

EXECUTED the 26<sup>th</sup> day of FEBRUARY, 2002.

Witnessed by:

**THE BANK OF NOVA SCOTIA**

*M. Jayda*  
Name: *Gary S. Jayda*

By: *J. Bernard Poirier*  
Name: J. Bernard Poirier  
Title: Director

EXECUTED the 26<sup>th</sup> day of FEBRUARY, 2002.

Witnessed by:

**FANTOM TECHNOLOGIES INC.**, by its  
interim receiver, PricewaterhouseCoopers Inc.,  
without personal liability

*Catherine Hristow*  
Name: CATHERINE HRISTOW

By: *Greg Watson*  
Name: GREG WATSON  
Title: SENIOR VICE PRESIDENT





DP

PTO/SB/17 (11-01)  
 Approved for use through 10/31/2002. OMB 0651-0032  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

### Complete if Known

Application Number	As per attached Schedule "A"
Filing Date	n/a
First Named Inventor	n/a
Examiner Name	n/a
Group Art Unit	n/a
Attorney Docket No.	5562-10452

**TOTAL AMOUNT OF PAYMENT** (\$) 2,560.00

<h3>METHOD OF PAYMENT (check all that apply)</h3> <p> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None  <input checked="" type="checkbox"/> Deposit Account: #4308          Deposit Account Number: 022095          Deposit Account Name: Bereskin &amp; Parr          The Commissioner is authorized to: (check all that apply)  <input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments  <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application  <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.       </p>	<h3>FEE CALCULATION (continued)</h3> <h4>3. ADDITIONAL FEES</h4> <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>2,560.00</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p><b>SUBTOTAL (3)</b> (\$) 2,560.00</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	2,560.00	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
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\*or number previously paid, if greater; For Reissues, see above

<b>SUBMITTED BY</b>		Complete (if applicable)	
Name (Print/Type)	Philip C. Mendes da Costa	Registration No. (Attorney/Agent)	33,106
Signature		Telephone	(416) 364-7311
		Date	April 15, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# Bereskin & Parr

Barristers and Solicitors/Patent and Trade Mark Agents  
Practice Restricted to Intellectual Property Law

April 15, 2002

Your Reference:  
Our Reference: 5562-1045

The Commissioner of Patents  
& Trademarks  
Washington, D.C.  
U.S.A 20231

Dear Sir:

**Re: United States Patents and Patent Applications  
From The Bank of Nova Scotia to Fantom Technologies Inc.**

At this time, the applicant submits for filing an assignment from The Bank of Nova Scotia to Fantom Technologies Inc. The assignment recordal fee of \$2,560.00 is enclosed in our cheque no. 4308.

If any additional fees are required, please withdraw them from our deposit account no. 02-2095 or credit any surcharge thereto.

Respectfully submitted,

Philip C. Mendes da Costa  
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Encl.