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09-17-2002



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10238516
10/20/02
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To the Honorable Commissioner of Patents & Trademarks: Please re

1. Name of conveying party(ies): GARY S. BORGEN

Additional name(s) of conveying party(ies) attached
_ yes/ no

3. Nature of conveyance:
 Assignment Merger Security Agreement
 Change of Name Other _____

Execution Date: August 20, 2002

MRD
8/20/02

2. Name & address of receiving party(ies):

Name: **The United States of America as Represented by the Secretary of the Navy**

Internal Address: **Chief of Naval Research, Office of Counsel, Code OOC**

Street Address: **Ballston Tower One 800 N. Quincy Street**

City: **Arlington** State: **VA** Zip: **22217-5660**

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 date of the application is: August 20, 2002

A. Patent Application No.(s) Serial No Navy Case No. **83071**

B. Patent No.(s)

10238516

Additional numbers attached Yes No

6. Total number of applications and patents involved: 1

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

Enclosed **Authorized to be charged to deposit account**

8. Deposit Account Number: **58-8931**

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

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

Name: **DAVID S. KALMBAUGH**
 Internal Address: **COMMANDER OFFICE OF COUNSEL, 772000E NAVAIRWARCENWPNDIV**

Street Address: **575 "I" AVE SUITE 1**

City: **POINT MUGU** State: **CA** Zip: **93042-5049**

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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.

DAVID S. KALMBAUGH Reg No. 28234
 Name of Person Signing *David S. Kalmbaugh* Signature *08/20/02* Date

CERTIFICATE OF MAILING (37 CFR §1.8a)

I hereby certify that these papers, along with any paper referred to as being attached or enclosed, are being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By: *Wendy R. McKenzie* WENDY R. MCKENZIE Date: 8/20/2002

Total number of pages including, cover sheet, attachments, and document: 2

09/16/2002 6TOM11 00000180 500931 10238516
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ASSIGNMENT

WHEREAS, I **GARY S. BORGEN** of CAMARILLO, CALIFORNIA, while employed by the Government of the United States, have invented certain new and useful improvements in:

PULSE CODE MODULATION ENCODER FOR DATA ACQUISITION

identified as Navy Case No. **83071** described in application for Letters Patent of the United States of America executed on August 20, 2002; and

WHEREAS, the Government of the United States, represented by the Secretary of the Navy and hereinafter referred to as the Government, is desirous of acquiring an assignment of the invention disclosed in said application and other rights and benefits herein granted; and

WHEREAS, the conditions under which the invention was made are such as to entitle the Government under Paragraph I(a) of Executive Order 10096, to the entire right, title and interest therein, including foreign rights; and

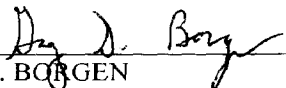
WHEREAS, as to foreign rights, it is the policy of the Government to obtain an option to exercise such rights;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration the receipt of which is hereby acknowledged, I hereby assign and transfer to the Government the entire right, title and interest in and to said invention within the United States of America, its territories and possessions, and the entire right, title and interest in and to said application and any continuation, division or substitution thereof, and such Letters Patent to be held by the Government to the end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment not been made.

I do hereby also grant unto the Government, the option to take the entire right, title and interest in the invention and all patent applications or other forms of protection thereon in all countries foreign to the United States in which the Government may file, or cause to be filed, applications for Letter Patent or other forms of protection, without payment of any consideration; provided, however that this grant of an option to take foreign rights in the invention, or applications or other forms of protection thereon, shall have force and effect only as to such applications filed in foreign countries within six months of the filing date of any application for United States Letter Patent covering the invention, or within six months from the declassification of the invention, whichever is later, and that all foreign rights exercised under the option are left to us subject to a nonexclusive, irrevocable, royalty-free license to the Government in any patent or other form of protection which may issue on said invention in any foreign country, including the power to issue sublicenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government.

I hereby further agree to make, execute, and deliver to the Government, any and all papers, documents, affidavits, statements, or other instruments that may be necessary in the prosecution of the application and of any continuation, division or substitution of the application, or any application for reissue or extension of said Letters Patent, and to assist the Government in every way in protecting the invention as may be requested, provided that any expense arising through such efforts will be paid by the Government.

IN TESTIMONY WHEREOF, I have set my hand and affixed my seals.



GARY S. BORGEN

Date 8/20/02