

10-10-2002

Form

(Rev. OMB



102246112

APPLICATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

Docket No.: INM-00301

1. Name of conveying party(ies):

Richard TESTARDI

10.7.02

Additional name(s) of conveying party(ies) attached?

Yes \_\_\_ No X

Nature of conveyance:

- (X) Assignment ( ) Merger ( ) Security Agreement ( ) Change of Name ( ) Other:

Execution Date: September 26, 2002

2. Name and address of receiving party(ies)

Name: Incipient, Inc.

Internal Address:

Street Address: 230 Third Avenue

Waltham, MA 02451

Additional name(s) & address(es) attached? Yes No X

3. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the applications is:

A. Patent Application No.(s) 10/218,195

B. Patent No.(s)

Additional numbers attached? Yes No X

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

Name: Patent Group Internal Address: Choate, Hall & Stewart Street Address: Exchange Place 53 State Street City: Boston State: MA ZIP: 02109-2804

5. Total number of applications and patents involved:

RECORDED 2002 OCT -7 AM 9:05 FINANCE SECTION

6. Total fee (37 CFR 3.41).....\$ 40.00 (X) Enclosed \_\_\_ Authorized to be charged to deposit account

10/09/2002 DBYRNE 00000161 10218195 01 FC:581 40.00 DP

7. Deposit account number:

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

DO NOT USE THIS SPACE

8. 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.

Anne E. Saturnelli, 41,290

Name of Person Signing

Signature

September 30, 2002

Date

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

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

ASSIGNMENT

WHEREAS Richard Testardi, of Berthod, Colorado has developed certain inventions described in U.S. patent application titled DYNAMIC AND VARIABLE LENGTH EXTENTS now U.S. Application No. 10/218,195 filed August 13, 2002, and have full right to convey the entire right, title and interest, both legal and equitable, in and to said inventions, free from all prior assignments, agreements, licenses, mortgages, security interests, or other encumbrances whatsoever; and

WHEREAS, Incipient, Inc. ("Assignee"), having offices in Waltham, Massachusetts is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the undersigned, the undersigned do hereby sell, assign, transfer and set over unto said Assignee, its successors and assigns, the entire right, title and interest throughout the world in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any application filed in the U.S. or any foreign country based thereon, including the right to file said applications and claim priority under the provisions of any U.S. or international convention or treaty; also the entire right, title and interest throughout the world in and to any and all patents or reissues or extensions thereof to be obtained in this or any foreign country upon said invention or inventions and any divisional, continuation, continuation-in-part or substitute applications which may be filed upon said invention or inventions in this or any foreign country; and the undersigned hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Assignee or its successors and assigns.

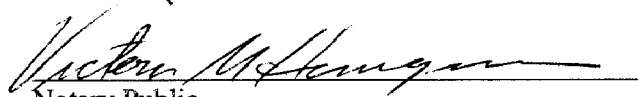
The undersigned further agree, without any further payment or compensation by said Assignee or its successors and assigns, to communicate to said Assignee, its representatives or agents or its successors and assigns, any facts relating to said invention or inventions including evidence for interference purposes or for other legal proceedings whenever requested; testify in any interference or other legal proceedings, whenever requested; execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective; and generally do everything possible to aid said Assignee, its successors or assigns and nominees to secure, obtain and enforce proper patent protection for said invention or inventions in this or any foreign country.

IN TESTIMONY WHEREOF, the undersigned have hereunto set their hands and seals on the date after their signatures.

9/26/02  
Date  
  
RICHARD TESTARDI

State of MA )  
County of Norfolk )

On this 26 day of September, 2002 before me personally appeared **RICHARD TESTARDI**, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

  
Notary Public  
My commission expires \_\_\_\_\_  
Victoria M. Henriques  
Notary Public  
My Commission Expires  
March 29, 2007