

02-05-2003

Form PTO-1595 (Rev. 10/02)

RE



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 6/30/2005)

102356853

Tab settings

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

1. Name of conveying party(ies): Dean WHITTEN; Dan HAWKS; Mike VANDER HART; and Mark COOPER

2-3-03

2. Name and address of receiving party(ies) Name: Vermeer Manufacturing Company Internal Address:

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

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

Street Address: 1210 Vermeer Road East City: Pella State: IA Zip: 50219

Execution Date: 10/30/2002, respectively

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:

A. Patent Application No.(s) 10/227,813

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Michael O. Sturm

Internal Address:

STURM & FIX LLP

Street Address: 206 Sixth Avenue - Suite 1213

City: Des Moines State: IA Zip: 50309-4076

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:

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Michael O. Sturm Name of Person Signing

Michael O. Sturm Signature

Jun 27, 2003 Date

Total number of pages including cover sheet, attachments, and documents: 7

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

ASSIGNMENT

WHEREAS, we, Dean Whitten, of 1512 W. 4th, Pella, Iowa 50219; Dan Hawks, of 120 Amsterdam Drive, Pella, Iowa 50219; Mike Vander Hart, of 218 Peoria Chestnut, Pella, Iowa 50219; and Mark Cooper, of 205 Elm, Pella, Iowa 50219, have invented a certain new and useful invention entitled **IMPROVED CONTROL OF EXCAVATION APPARATUS**; and

WHEREAS, Vermeer Manufacturing Company, a corporation of the State of Iowa, having an address of 1210 Vermeer Road East, Pella, Iowa 50219, is desirous of acquiring the entire right, title and interest in and to said invention and any and all Letters Patent of the United States and Letters Patent in any and all foreign countries which may be obtained therefor;

NOW, THEREFORE, in consideration of One Hundred Dollars (\$100.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, transfer and set over unto the said Vermeer Manufacturing Company, its legal representatives, successors and assigns, the entire right, title and interest in and to said invention, as described in the above mentioned application about to be filed in the United States Patent and Trademark Office on 08-27-02 and given Serial No. 10/227,813, and entitled **IMPROVED CONTROL OF EXCAVATION APPARATUS**, and in and to all patents of the United States and in any and all foreign countries which may be issued for said invention, and in and to all patent applications, continuations, continuations-in-part, divisionals, reexaminations and reissues of said invention as described in the above-mentioned application in the United States and in any and all foreign countries, as fully and completely as the same would have been held by us had this Assignment and sale not been made, together with all claims for damages by reason of past infringement with the right to sue for and collect the same and obtain all other possible remedies for its own use and enjoyment and for the use and enjoyment of its

successors, assigns or other legal representatives. The said entire right, title and interest shall vest irrevocably in said Vermeer Manufacturing Company. We further agree upon request, without additional compensation but at no expense to ourselves, to execute or assent to foreign applications, and to execute all other legal documents as may be necessary or desirable to vest the enjoyment of the said entire right, title and interest hereby transferred in Vermeer Manufacturing Company, its legal representatives, successors and assigns, or as the said company may direct.

The Attorney of Record is hereby authorized to insert the Serial Number and filing date in the above blank spaces when received from the Patent and Trademark Office.

We hereby request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to the said Vermeer Manufacturing Company, its legal representatives, successors and assigns, as the sole owner of the entire right, title and interest in and to said patents and inventions covered thereby.

STATE OF IOWA)
) ss:
COUNTY OF MARION)

10/30/02
Date

Dean Whitten
Dean Whitten

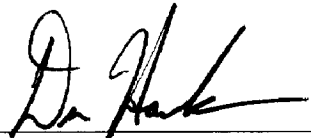
Subscribed and sworn to before me this 30th day of October, 2002.



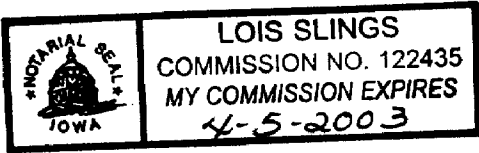
Lois Slings
Notary Public
State of IOWA


STATE OF IOWA)
) ss:
COUNTY OF MARION)

10/30/02
Date


Dan Hawks

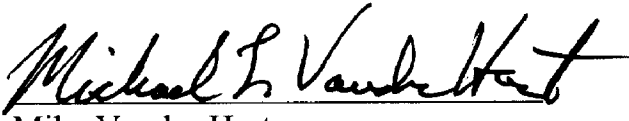
Subscribed and sworn to before me this 30th day of October, 2002.




Notary Public
State of Iowa

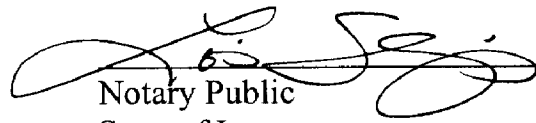
STATE OF IOWA)
) ss:
COUNTY OF MARION)

10/30/02
Date


Mike Vander Hart

Subscribed and sworn to before me this 30th day of October, 2002.




Notary Public
State of Iowa

STATE OF IOWA)
) ss:
COUNTY OF MAKON)

10/30/02
Date

Mark Cooper
Mark Cooper

Subscribed and sworn to before me this 30th day of October, 2002.



Lois Slings
Notary Public
State of Iowa