

04-17-2003



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

PTO 29179089 04/03/03

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

1. Name of conveying party(ies): Colleen C. Lubking 4.3.03 Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies) Name: Capital One Financial Corporation Internal Address: Street Address: 2980 Fairview Park Drive City: Falls Church State: VA Zip: 22042 Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance: [X] Assignment [] Merger [] Security Agreement [] Change of Name [] Other Execution Date: 4/3/2003

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: 4/3/2003 A. Patent Application No.(s) B. Patent No.(s) Additional numbers attached? Yes No 29179089

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Frank M. Gasparo Internal Address: Baker & McKenzie 29th Floor Street Address: 805 Third Avenue City: New York State: NY Zip: 10022

6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41).....\$ 40.00 [] Enclosed [X] Authorized to be charged to deposit account 8. Deposit account number: 02-0393

DO NOT USE THIS SPACE

9. Signature. Frank M. Gasparo (Reg. No. 44,700) Name of Person Signing Signature Date April 3, 2003

Total number of pages including cover sheet, attachments, and documents: 3

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

04/16/2003 GTOM11 00000124 020393 29179089 01 FC:8021 40.00 CH

PATENT REEL: 013956 FRAME: 0194

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ASSIGNMENT**WHEREAS, I/We,**

Colleen C. Lubking
2020 Rockstone Place
Richmond, VA 23233

Citizenship: United States,

have made certain new and useful inventions and discoveries, for which I/we have filed a design patent application for Letters Patent entitled **DATA CARD**, the specification of which is being filed herewith, and

WHEREAS, Capital One Financial Corporation, having a place of business at 2980 Fairview Park Drive, Falls Church, VA 22042, United States of America, and who, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited,

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, and other valuable consideration furnished by Assignee to me/us, receipt and sufficiency of which I/we hereby acknowledge, I/we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in my/our name(s) or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that I/we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I/we have good right to assign the same to Assignee without encumbrance.

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5. Bind my/our heirs, legal representatives, and assigns, as well as myself/ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to me/us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by me/us, my/our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to me/us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in my/our control or in the control of my/our heirs, legal representatives, or assigns which may be useful for establishing the facts of my/our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

IN TESTIMONY WHEREOF, I have hereunto set our hand and seal this 3rd day of April, 2003

Colleen C. Lubking
Colleen C. Lubking

STATE OF Virginia)
COUNTY OF Henrico)

On this 3rd day of April 2003, before me came **Colleen C. Lubking**, to me known and known to me to be the individual described in, and who executed the foregoing instrument, and he has acknowledged to me that he has executed the same.

Allison C. Coghill
Notary Public

Notarized Expires April 30, 2004

