

PATENTS ONLY

05-02-2003

PATENTS ONLY

TO

PATENTS

Please print

102437073

or copy thereof.

1. Name of Party(ies) conveying an interest.

Eileen C. Smith  
Anthony Montesano  
Edward T. Tilly  
Mark A. Esposito  
Stuart J. Kipnes  
Anthony J. Carone

4-24-03

2. Name and Address of Party(ies) receiving an interest.

Name: Chicago Board Options Exchange, Incorporated  
Internal Address:  
Street Address: 400 South LaSalle Street  
City: Chicago  
State/Zip: Illinois 60605

Additional name(s) and addresses attached?

☐ Yes ☒ No

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

☐ Yes ☒ No

3. Description of the interest conveyed:

☒ Assignment ☐ Change of Name Other:☐ Security Agreement ☐ Merger

Execution Dates: 04/23/03, 04/23/03, 04/22/03, 04/24/03,  
04/24/03 and 04/24/03

4. Application number(s) or patent number(s). Additional sheet attached? ☐ Yes ☒ No

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

04/23/03, 04/23/03, 04/22/03, 04/24/03, 04/24/03 and 04/24/03

Date

A. Patent Application No.(s)

B. Patent No.(s)

10423201

Additional numbers attached? ☐ Yes ☒ No

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

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

6. Number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)

\$ 40.00

☒ Enclosed☐ Authorized to be charged to Deposit Account No. 23-19258. ☒ Please charge any deficiencies in fee or credit any overpayment to Deposit Account No. 23-1925.

DO NOT USE THIS SPACE

05/01/2003 DBYRME 00000013 10423201

01 FC:0021

40.00 DP

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.

Kent E. Genin, Reg. No. 37,834

Name of Person Signing

Signature

April 24, 2003

Date

Total number of pages including cover sheet, attachments, and document: 6

**ASSIGNMENT**

WHEREAS, Eileen C. Smith, Anthony Montesano, Edward T. Tilly, Mark A. Esposito, Stuart J. Kipnes and Anthony J. Carone, hereinafter called the "Assignors", have made the invention described in the United States patent application entitled Hybrid Trading System For Concurrently Trading Securities Or Derivatives Through Both Electronic And Open-Outcry Trading Mechanisms, executed by Assignors on the same date as this Assignment;

WHEREAS, Chicago Board Options Exchange, Incorporated, a corporation organized and existing under the laws of the State of Delaware, having a place of business at 400 South LaSalle Street, Chicago, Illinois 60605, hereinafter called the "Assignee", desires to acquire the entire right, title and interest in and to the invention and the patent application identified above, and all patents which may be obtained for said invention, as set forth below;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which by the Assignors from the Assignee is hereby acknowledged, the Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer to the Assignee, the entire right, title and interest for the United States in and to the invention and the patent application identified above, and any patents that may issue for said invention in the United States; together with the entire right, title and interest in and to said invention and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for all such patents.

The Assignors hereby covenant and agree, for both the Assignors and the Assignors' legal representatives, that the Assignors will assist the Assignee in the prosecution of the patent application identified above; in the making and prosecution of any other patent applications that the Assignee may elect to make covering the invention identified above; in vesting in the Assignee like exclusive title in and to all such other patent applications and

patents; and in the prosecution of any interference which may arise involving said invention, or any such patent application or patent; and that the Assignors will execute and deliver to the Assignee any and all additional papers which may be requested by the Assignee to carry out the terms of this Assignment.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignee in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignors have executed this agreement.

DATED: 4/23/03

Eileen C. Smith  
Eileen C. Smith

DATED: 4/15/03

Anthony Montesano  
Anthony Montesano

DATED: 4-22-03

Edward T. Tilly  
Edward T. Tilly

DATED: 4/24/03

Mark A. Esposito  
Mark A. Esposito

DATED: 4-24-03

Stuart J. Kipnes  
Stuart J. Kipnes

DATED: 4/24/03

Anthony J. Carone  
Anthony J. Carone

STATE OF Illinois )  
COUNTY OF Cook ) ss.

I, nk, A Notary Public in and for the County and State aforesaid, do hereby certify that Eileen C. Smith, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 23rd day of April, 2003 .

Nancy L. Kulikowski  
Notary Public

My Commission Expires: 10-05-04



STATE OF Illinois )  
COUNTY OF Cook ) ss.

I, nk, A Notary Public in and for the County and State aforesaid, do hereby certify that Anthony Montesano, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 23rd day of April, 2003 .

Nancy L. Kulikowski  
Notary Public

My Commission Expires: 10-05-04



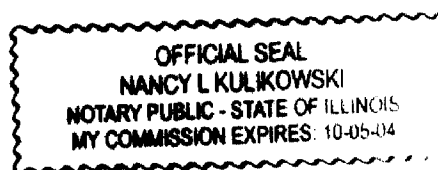
STATE OF *Illinois* )  
 ) ss.  
COUNTY OF *Cook* )

I, *me*, A Notary Public in and for the County and State aforesaid, do hereby certify that Edward T. Tilly, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this  
*22nd* day of *April*, 20*03* .

*Nancy L. Kulikowski*  
Notary Public

My Commission Expires: *10/05/04*



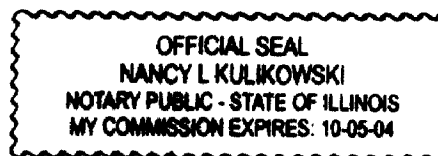
STATE OF *Illinois* )  
 ) ss.  
COUNTY OF *Cook* )

I, *me*, A Notary Public in and for the County and State aforesaid, do hereby certify that Mark A. Esposito, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this  
*24th* day of *April*, 20*03* .

*Nancy L. Kulikowski*  
Notary Public

My Commission Expires: *10/05/04*



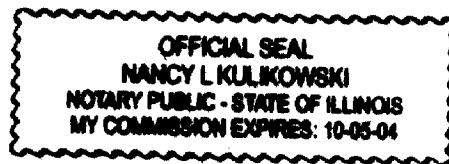
STATE OF Illinois )  
 ) ss.  
COUNTY OF Cook )

I, mk, A Notary Public in and for the County and State aforesaid, do hereby certify that Stuart J. Kipnes, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 24th day of April, 2003 .

Nancy L. Kulikowski  
Notary Public

My Commission Expires: 10/05/04



STATE OF Illinois )  
 ) ss.  
COUNTY OF Cook )

I, mk, A Notary Public in and for the County and State aforesaid, do hereby certify that Anthony J. Carone, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 24th day of April, 2003 .

Nancy L. Kulikowski  
Notary Public

My Commission Expires: 10/05/04

