

# **ASSIGNMENT RECORDATION FORM COVER SHEET**      *Patents Only*

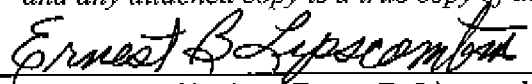
To the Director of the U.S. Patent and Trademark Office:  
Please record the attached original documents or copy thereof.

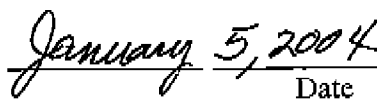
Attorney Dkt. No.: 038257/237615

<p>1. Name of conveying party(ies):</p> <p align="center">Edmund Scott Davis</p> <p>Additional name(s) of conveying party(ies) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>2. Name and address of receiving party(ies):</p> <p align="center">Banyan Licensing LC 1040 Bayview Drive, Suite 322 Ft. Lauderdale, Florida 33304</p> <p>Additional name(s) &amp; address(es) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: .</p> <p>Execution Date: 11/07/03,</p>	
<p>4. Application No. 10/076,190      Patent No. _____</p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p> <p>Additional numbers attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p align="center"><b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000</p>	<p>6. Total number of applications and patents involved:</p> <p align="center">— 1 —</p>
	<p>7. Total fee (37 CFR 3.41) \$40.00</p> <p><input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account</p>
	<p>8. Deposit account number: 16-0605</p>

**DO NOT USE THIS SPACE**

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.*

  
Name of Person Signing: Ernest B. Lipscomb, III  
Reg. No. 24,733

  
Date

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

USPTO Fax Number for Corrective Assignments (703) 306-5995

GH \$40.00 160606 10076190

### ASSIGNMENT

THIS ASSIGNMENT, made by me, Edmund Scott Davis, a citizen of United States, residing at 2305 Solar Plaza Drive, Ft. Lauderdale, Florida 33301;

WITNESSETH: That,

WHEREAS, I am the sole inventor of certain new and useful improvements in **MATTRESS RETAINER FOR ADJUSTABLE BED** for which an application for United States Letters Patent has been filed in the United States Patent and Trademark Office on February 14, 2002 under Application No. 10/076,190; and

WHEREAS, **BANYAN LICENSING LC**, a Florida corporation having a principal place of business at 1040 Bayview Drive, Suite 322, Ft. Lauderdale, State of Florida 33304, hereinafter referred to as assignee, is desirous of acquiring the entire right, title, and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues, reexaminations, or extensions thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.


I hereby request that said Letters Patent be issued in accordance with this assignment.

I further covenant and agree that, at the time of the execution and delivery of these presents, I possess full title to the invention and application above-mentioned, and that I have the unencumbered right and authority to make this assignment.

I further covenant, and agree to bind my heirs, legal representatives, and assigns, promptly to communicate to said assignee or its representatives any facts known to me relating

to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 7 day of November, 2003.

  
Edmund Scott Davis

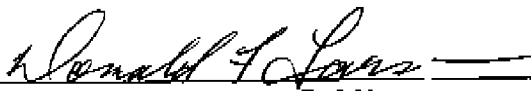
(SEAL)  
*7/2.12*

STATE OF Florida )  
COUNTY OF Broward )

I, Donald F Larson, a Notary Public for said County and State, do hereby certify that Edmund Scott Davis personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 7<sup>th</sup> day of NOV, 2003.

(Official Seal)

  
Notary Public



Donald F Larson  
My Commission DD057073  
Expires October 23, 2005

My commission expires: \_\_\_\_\_