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# RECORDATION FORM COVER SHEET PATENT APPLICATIONS & PATENTS ONLY

TO THE DIRECTOR OF THE US PATENT AND TRADEMARK OFFICE:  
SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

## 1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. Jian WANG

3.

5.

7.

2.

4.

6.

8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? ☐ YES ☒ NO

## 2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: Digital Accelerator Corporation

## ADDRESS:

1255 West Pender Street, Vancouver, British Colombia, V6E 2V1, Canada

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

## 3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

☐ ASSIGNMENT OF ☐ WHOLE ☐ PART INTEREST  
☐ ORIGINAL ☒ FACSIMILE/PHOTOCOPY  
☐ CHANGE OF NAME ☐ VERIFIED TRANSLATION  
☐ SECURITY ☐ MERGER ☒ OTHER: Affidavit of Attempt to Have Jian Wang Sign the Assignment Documents

## EXEC. DATE:

March 25, 2004

EXECUTION DATE(S) ON THE DECLARATION IF FILED HEREWITH: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!)

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? ☐ YES ☒ NO

A. PAT. APP. NO.(S) series/code/serial no.	M#	1* INVENTOR if not in item 1	B. PATENT NO(S)	M#	1* INVENTOR if not in item 1
09/999,067	049982-0272519	Meng WANG			

5. Name &amp; Address of Party to Whom Correspondence Concerning Document Should be Mailed:

Pillsbury Winthrop LLP  
Intellectual Property Group  
11682 El Camino Real Suite 200  
San Diego, CA 92130-2092

## 6. NUMBER INVOLVED:

APPLNS 1 + PATS 0 = TOTAL = 1

## 7. AMOUNT OF FEE DUE: (Code 8021)

ABOVE TOTAL x \$40 = \$40

## 5.5 ATTY DKT:

049982      0272519  
CLIENT NO.      MATTER NO.

## 8. PLEASE CHARGE TO OUR DEPOSIT ACCOUNT

NUMBER: 50-2212

UNDER ORDER NO.      049982      0272519  
dup. sheet not required      CLIENT NO.      MATTER NO.

9. 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.

10. Total number of pages including this  
cover sheet, attachments and document  
(do not file dup. Cover sheet)

4

Signature

Attorney: Robert M. Bedgood, Ph.D.

Reg. No. 43,488

Atty/Sec: RMB/sys

TEL: (858) 509-4065

Date: March 25, 2004

FAX: (858) 509-4010

FILE WITH PTO RETURN RECEIPT (PAT-103A)

CH \$40.00 602212 09999067

PATENT

PAT-114X 9/03

REEL: 014461 FRAME: 0645

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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicants: Meng Wang, *et al.*  
Serial No.: 09/999,067  
National Phase Entry Date: November 15, 2001  
International Filing Date: March 15, 2001  
Title: Coding of Digital Video with High Motion Content

**AFFIDAVIT**

IN THE MATTER OF  
United States National Phase Application No. 09/999,067  
corresponding to  
International Patent Application No. PCT/CA01/00319  
entitled Coding of Digital Video with High Motion Content


**AFFIDAVIT OF PHIL NERLAND**

I, Phil Nerland, of 1255 West Pender Street, in the City of Vancouver, in the Province of British Columbia, Canada, MAKE OATH AND SAY AS FOLLOWS:

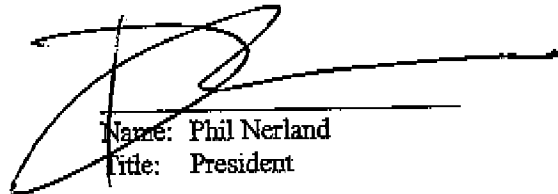
1. I am the President of Digital Accelerator Corporation, the former employer of the inventors and applicants of the above-referenced application, and as such, I have personal knowledge of the facts hereinafter deposed to except where stated to be on information and belief, in which case I verily believe them to be true.
2. The subject patent application is a United States National Phase Application (Serial No. 09/999,067) corresponding to International Patent Application No. PCT/CA01/00319 filed March 15, 2001.
3. The parent International Patent Application No. PCT/CA01/00319 named three inventors, namely, Meng Wang, Li Qu, and Jian Wang.
4. I have been informed and verily believe that in spite of an asserted attempt, the third listed inventor, namely, Jian Wang, could not be located to sign the assignment document. I have been informed that Jian Wang could not be reached at the last known home address, telephone number, nor e-mail addresses in his employee file. I have also been informed that after inquiries were made to past employees who were co-workers and acquaintances of Jian Wang, he still could not be located. A memorandum by Peggie Jones, an employee of Digital Accelerator Corporation, a copy of which is attached as Exhibit "A", summarizes the unsuccessful attempts made to locate Jian Wang. A letter sent to Jian Wang by registered mail was returned by Canada Post. The stamped envelope, a copy of which is attached as Exhibit "B", indicates that Jian Wang could not be contacted at this last known home address.

5. The inventor Jian Wang was employed by Digital Accelerator Corporation as early as December 22, 1998. He was an employee at the time of conception of the invention as described and claimed in the subject patent application.
6. Jian Wang was and is under an obligation to assign any and all rights to the subject patent application to Digital Accelerator Corporation. An Employment Agreement made as of April 1, 2000 and signed by Jian Wang, a copy of which is attached as Exhibit "C", stipulated in Article 11 that he has assigned to Digital Accelerator Corporation all discoveries, concepts, inventions or improvements, whether patentable or not, made, discovered, conceived, invented or improved by Jian Wang during the period of his employment and that he agrees to vest in Digital Accelerator Corporation his entire right, title and interest in and to said discoveries, concepts, inventions or improvements.
7. I verily believe that all diligent efforts to locate the inventor Jian Wang have been unsuccessful. I file this affidavit in support of a request to the U.S. Commissioner of Patents to accept this affidavit as a substitute for a formally signed assignment from Jian Wang to Digital Accelerator Corporation of the subject patent application and to record it in the Assignment Division of the USPTO.

SWORN before me at the City of )  
Vancouver, in the Province of British )  
Columbia, Canada, )  
this 7<sup>th</sup> day of Feb, 2004. )

  
A Commissioner of Oaths, Notary  
Public, or the like official

RICHARD J.S. RAINEY  
*Barrister & Solicitor*  
#718 - 744 WEST HASTINGS STREET  
VANCOUVER, BC V6C 1A5  
Telephone: (604) 682-4600

  
Name: Phil Nerland  
Title: President

This is Exhibit A referred to in the Affidavit  
of Phil Nerland sworn before me,  
this 27 day of Feb, 2004.



A Commissioner for Taking Affidavits  
RICHARD J.S. RAINEY

*Barrister & Solicitor*

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