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

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings

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

1. Name of conveying party(ies):

Marty Gardner  
Mike Marsh  
Mark Wigsten

9.2.03

2. Name and address of receiving party(ies)

Name: BorgWarner Inc.

Internal Address: SEP 2

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

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other

Street Address: Powertrain Technical Center

3800 Automation Avenue, Suite 100

City: Auburn Hills State: MI Zip: 48326-1782

Execution Date: June 3, 2003

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) 10/459,666

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached?  Yes  No

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

Name: BORGWARNER INC

Internal Address: \_\_\_\_\_

Powertrain Technical Center

Street Address: 3800 Automation Avenue, Suite 100

City: Auburn Hills State: MI Zip: 48326-1782

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41).....\$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

02-0910

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9. Signature.

Frank Tian

Name of Person Signing

Signature

8/28/2003 Date

Total number of pages including cover sheet, attachments, and documents: 2

09/10/2003 ECDUPER 00000220 10459666

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

01 FC:8021

40.00 BP

**ASSIGNMENT AND AGREEMENT**


For value received, I, Marty Gardner, of Dryden in the State of New York, Mike Marsh, of Dryden, in the State of New York and Mark Wigsten, of Lansing, in the State of New York, hereby sell, assign and transfer to BorgWarner, Inc., a Corporation of Delaware, having a place of business at Powertrain Technical Center, 3800 Automation Avenue, Suite 100, Auburn Hills, MI 48326-1782, and its successors, assigns and legal representatives (hereinafter referred to as the "Assignee"), the entire right, title and interest, for the United States of America, in and to certain inventions related to the "TORSIONAL ASSIST CAM PHASER FOR CAM IN BLOCK ENGINES" described in an application for Letters Patent of the United States, executed by me of even date here with, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and I also concurrently hereby sell, assign and transfer to Assignee the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

I authorize Assignee to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from me, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Assignee to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

I request that any and all patents for said inventions be issued to Assignee in the United States and in all countries foreign to the United States, or to such nominees as Assignee may designate.

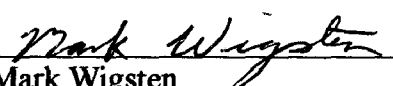
I agree that, when requested, I shall, without charge to Assignee, but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

  
Marty Gardner

6-3-03  
Date:

  
Mike Marsh

6-3-03  
Date

  
Mark Wigsten

6/3/03  
Date