

Practitioner's Docket No. 465
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

12-08-2003



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IT

22388 U.S. PTO
10/724339



11-28-03

COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING
NEW PATENT APPLICATION (37 C.F.R. § 3.31)

IDENTIFICATION OF APPLICATION

(37 C.F.R. § 3.21 and 37 C.F.R. § 3.31(a)(4))

1. The ☒ patent application ☐ provisional patent application filed herewith and, to which the attached assignment (document) refers, is identified as follows:

a. Type of application

- ☒ Application of patent (37 C.F.R. § 1.53(b))
☐ Continued prosecution (nonprovisional) application (37 C.F.R. § 1.53(d))
☐ Provisional application (37 C.F.R. § 1.53(c))
☐ International application (37 C.F.R. § 1.431)

b. Date of execution: November 24, 2003

10724339

NOTE: Leave this blank if assignment is for a provisional application.

c. Name of each inventor:

- 1: Pat R. Mitchell
2: William R. Tipton
3:

d. Title of invention: Automated Warehouse Row Cart And Lift

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date Nov 28, 2003, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EU982255211 US

Robert Charles Hill

(type or print name of person mailing paper)

Robert Charles Hill

Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Cover Sheet For Assignment Accompanying New Patent Application [4-2.3]—page 1 of 4)

NOTE: 37 C.F.R. § 3.21 states: "If an assignment of a patent application filed under § 1.53(b) is executed concurrently with, or subsequent to, the execution of the patent application, but before the patent application is filed, it must identify the patent application by its date of execution, name of each inventor, and title of the invention so that there can be no mistake as to the patent application intended. If an assignment of a provisional application under § 1.53(c) is executed before the provisional application is filed, it must identify the provisional application by name of each inventor and title of the invention so that there can be no mistake as to the provisional application intended."

NAME OF PARTY(IES) CONVEYING INTEREST

(37 C.F.R. § 3.31(a)(1))

2. The party(ies) conveying this interest is (are):

Name 1: Pat R. Mitchell

Name 2: William R. Tipton

Name 3: _____

NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST

(37 C.F.R. § 3.31(a)(2))

3. The rights are being conveyed to:

Name: California Natural Products

Address: P.O. Box 1219

Lathrop, CA 95330

Telephone No.: (209) 858-2525

**DESCRIPTION OF INTEREST CONVEYED OR
TRANSACTION RECORDED** (37 C.F.R. § 3.31(a)(3))

4. The accompanying document intends to accomplish:

- ☒ an assignment.
- ☐ a security agreement.
- ☐ a license.
- ☐ a merger.
- ☐ a change of name.
- ☐ a change of address.
- ☐ other.

(Cover Sheet For Assignment Accompanying New Patent Application [4-2.3]—page 2 of 4)

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE
SHOULD BE MAILED** (37 C.F.R. § 3.31(a)(5))

5. Please address correspondence to:

Name: Robert Charles Hill
Address: 235 Montgomery Street #821
San Francisco, CA 94104

Telephone No.: (415) 421-2080

DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 C.F.R. § 3.31(a)(7))

6. A. ☒ The attached assignment (document) was executed on 11/24/03. (Date)

NOTE: If there is more than one conveying party who executed on different dates, indicate the date of execution of the assignment document for each conveying party.

B. ☐ The attached assignment was executed by _____
on _____. (Date)

☐ The attached assignment was executed by _____
on _____. (Date)

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

NOTE: "The Office will accept and record non-English language documents only if accompanied by an English translation signed by the individual making the translation." 37 C.F.R. § 3.26.

7. The attached document:

☒ is in the English language.

☐ is not in the English language. An English translation signed by the individual making the translation and statement as to its accuracy is attached.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

NOTE: "Either the original document or a true copy of the original document may be submitted for recording. Only one side of each page shall be used. The paper used should be flexible, strong, white, non-shiny, durable, and preferably no larger than 21.6 x 33.1 cm. (8½ x 14 inches) with a 2.5 cm. (one-inch) margin on all sides." 37 C.F.R. § 3.24.

8. Submitted herewith is:

☒ the original document.

☐ a true copy of the original document.

NOTE: "If the original [assignment] document is two-sided or the wrong size, the practitioner can comply with the requirement [set out in 37 C.F.R. § 3.24] by providing a true copy of the original document using only one side of each page on the correct size paper." Notice of June 24, 1992, 1140 O.G. 63-76, at 67.

(Cover Sheet For Assignment Accompanying New Patent Application [4-2.3]—page 3 of 4)

**NUMBER OF APPLICATIONS IDENTIFIED IN THIS COVER SHEET
AND THE FEE**

NOTE: "All requests to record documents must be accompanied by the appropriate fee. Except as provided in paragraph (b) of this section, a fee is required for each application or patent against which the document is recorded as identified in the cover sheet. The recording fee is set in § 1.21(h). . . ." 37 C.F.R. § 3.41.

9. A. This cover sheet identifies only one application:

B. The fee for recordal (37 C.F.R. § 1.21(h)) is \$40.00.

☒ Attached is a ☒ check ☐ money order in the amount of \$ 40.00

☐ Authorization is hereby made to charge the amount of \$ _____

☐ to Deposit Account No. _____

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

☐ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

**STATEMENT (37 C.F.R. § 3.31(a)(9))
AND SIGNATURE (37 C.F.R. § 3.31(a)(10))**

10. 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.

Date: Nov 28, 2003

Name of party submitting document

Signature of party submitting document

(complete the following, if the party submitting the document is applicant's attorney)

Reg. No. 20 903

Robert Charles Hill
Signature of Practitioner

Tel. No. (415) 421-2080

Robert Charles Hill

(type or print name of practitioner)

Customer No.

235 Montgomery Street #821

P.O. Address

San Francisco, CA 94104

TOTAL NUMBER OF PAGES BEING SUBMITTED

11. The total number of pages being submitted, including cover sheet, attachment(s), and document(s) are:

7

Total number of pages submitted

(Cover Sheet For Assignment Accompanying New Patent Application [4-2.3]—page 4 of 4)

For: ☒ U.S. and/or ☐ Foreign Rights
For: ☒ U.S. Application or
☐ U.S. Provisional Application
For: ☐ U.S. Patent
For: ☐ PCT Application
By: ☒ Inventor(s) or ☐ Present Owner

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:

Inventor(s) or person(s) or
entity(ies) who own the
invention

Pat R. MitchellWilliam R. Tipton

(type or print name(s) of ASSIGNOR(S))

4844 East Morada Lane22275 Tretheway Road

Address

Stockton, CA 95212Acampo, CA 95220U.S.A.U.S.A.

Nationality

(if assignment is by person or entity to whom invention was previously assigned
and this was recorded in PTO, add the following)

Recorded on _____

Reel _____

Frame _____

hereby sells, assigns and transfers to

ASSIGNEE:California Natural Products

(type or print name(s) of ASSIGNEE(S))

P.O. Box 1219

Address

Lathrop, CA 95330California corporation

Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(Assignment of Invention [16-3]—page 1 of 3)

(complete one of the following)

- ☒ the entire right, title and interest
☐ an undivided _____ percent (_____%) interest

for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

☐ and in all foreign countries, including all rights to claim priority,
in and to any and all improvements which are disclosed in the invention entitled:
Automated Warehouse Row Cart And Lift

Name of inventor(s) Pat R. Mitchell and William R. Tipton

(check and complete (a), (b), (c), (d), (e), (f), or (g))

and which is found in (37 C.F.R. § 3.21)

- (a) ☒ U.S. patent application executed on even date herewith
(b) ☐ U.S. patent application executed on _____
(c) ☐ U.S. provisional application naming the above inventor(s) for the above-entitled invention.
☐ Express mail label no.: _____
Mailed: _____
☐ To comply with 37 C.F.R. § 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.
(d) ☐ U.S. application no. _____ / _____
filed on _____
(e) ☐ International application no. PCT/ _____ / _____
(f) ☐ U.S. patent no. _____ issued _____
☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

- (g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

(Assignment of Invention [16-3]—page 2 of 3)

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this _____ day
of Nov. 24, 2003
Date of signing

WARNING: The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Date: Nov. 24, 2003

Date: Nov. 24, 2003

Date:

Date:

IR 222
Signature of ASSIGNOR(S)
Wm Rodney Spivey

(If ASSIGNOR is a legal entity, complete the following information)

(type or print the name of the above person
authorized to sign on behalf of ASSIGNOR)

Title

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 U.S.C. § 261. Use next page if notarization is desired.

☐ Notarization or Legalization Page Added.

(Assignment of Invention [16-3]—page 3 of 3)