

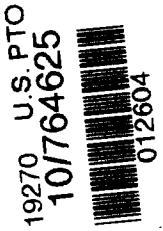
02-03-2004



102659395

PATENT

Docket No. RUS041USU



Box Patent Application  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

1-26-04

**COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING  
NEW PATENT APPLICATION (37 CFA 3.31)**

**IDENTIFICATION OF APPLICATION (37 CFR 3.21  
and 37 CFR 3.31(a)(4))**

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

a. Date of execution: **January 22, 2004**

b. Name of each inventor:

- 1: **Michael T. Suba**
- 2: **Timothy O'Reilly**
- 3:

10764625

c. Title of invention: **System and Method for Reducing Time Between Pitches in a Spring-Actuated Pitching Machine**

*NOTE: "If an assignment 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." 37 CFR 3.21.*

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date January 26, 2004 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV123842996US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

**James G. Coplit**

(Type or print name of person mailing paper)

(Signature of person mailing paper)

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40.00 DP

**NAME OF PARTY(IES) CONVEYING INTEREST (37 CFR 3.31(a)(1))**

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

Name 1: Michael T. Suba

Name 2: Timothy O'Reilly

Name 3: \_\_\_\_\_

**NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST  
(37 CFR 3.31(a)(2))**

3. The rights are being conveyed to:

Name: ProBatter Sports, LLC

Address: 92 Woodmont Road  
Milford, Connecticut 06460

Telephone No.: ( ) \_\_\_\_\_

**DESCRIPTION OF INTEREST CONVEYED OR  
TRANSACTION RECORDED (37 CFR 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

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE  
SHOULD BE MAILED (37 CFR 3.31(a)(5))**

5. Please address correspondence to:

Name: James G. Coplit

Address: Grimes & Battersby, LLP  
488 Main Avenue, Third Floor  
Norwalk, Connecticut 06851

Telephone No.: ( 203 ) 849-8300

**DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 CFR 3.31(a)(7))**

6. The attached assignment (document) was executed on January 22, 2004  
(date)

## LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

NOTE: "The Office will accept and record non-English language documents only if accompanied by a verified English translation signed by the individual making the translation." 37 CFR 3.26.

The attached document:

- ☒ is in the English language
- ☐ is not in the English language and a verified English translation signed by the individual making the translation 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. (8 1/2 x 14 inches) with a 2.5 cm. (one-inch) margin on all sides." 37 CFR 3.24.

7. Submitted herewith is:

- ☒ the original document
- ☐ a true copy of the original document

## NUMBER OF APPLICATIONS IDENTIFIED IN THIS COVER SHEET AND THE FEE (37 CFR 3.31 (a)(6))

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

B. The fee for recordal (37 CFR 1.21(h)) is \$40.00.

- ☒ Attached is a check for \$40.00.
- ☐ Please charge Account 07-2162 \$40.00.

A duplicate of this cover sheet is attached.

## STATEMENT (37 CFR 3.31(a)(9)) AND SIGNATURE (37 CFR 3.31 (a)(10))

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.

Date: January 26, 2004

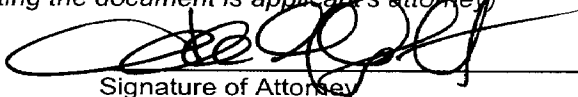
\_\_\_\_\_  
(Name of party submitting document)

\_\_\_\_\_  
(Signature of party submitting document)

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

Reg. No. **40,571**

Tel. No. **(203) 849-8300**

  
\_\_\_\_\_  
Signature of Attorney

**James G. Coplit**

\_\_\_\_\_  
Type or print name of Attorney

**488 Main Avenue, Third Floor**

**Norwalk, CT 06851**

\_\_\_\_\_  
P.O. Address

## **ASSIGNMENT FOR UNFILED APPLICATION FOR US PATENT**

WHEREAS, Michael T. Suba, a United States citizen, whose address is 42 Marlin Road, Sandy Hook, Connecticut 06482 and Timothy O'Reilly, a United States citizen, whose address is 20 Richard Street, Ansonia, Connecticut 06401 (collectively, the "ASSIGNORS"), have invented and own a certain invention entitled SYSTEM AND METHOD FOR REDUCING TIME BETWEEN PITCHES IN A SPRING-ACTUATED PITCHING MACHINE for which application for Letters Patent of the United States has been executed on even date herewith.

WHEREAS, PROBATTER SPORTS, LLC, a Connecticut corporation having an address at 92 Woodmont Road, Milford, Connecticut 06460 ("ASSIGNEE"), is desirous of acquiring the entire interest therein, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

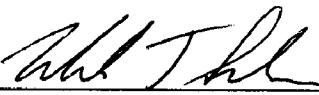
NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto ASSIGNEE the full and exclusive right, title and interest in and to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

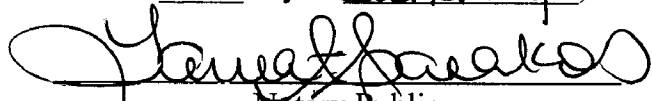
ASSIGNORS COVENANT and AGREE and WARRANT that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNORS COVENANT and AGREE and WARRANT that ASSIGNEE will, at any time upon request, without further compensation, be provided with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in all foreign countries as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative 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 in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, we have hereto set hand and seal this 22<sup>nd</sup> day of January, 2004.

  
Michael T. Suba


Sworn and subscribed to before  
me this 22<sup>nd</sup> day of January, 2004.

  
Notary Public

**LAURA SPANAKOS**  
*NOTARY PUBLIC*  
MY COMMISSION EXPIRES AUG. 31, 2006

  
Timothy O'Reilly

Sworn and subscribed to before  
me this 22<sup>nd</sup> day of January, 2004.

  
Notary Public

**LAURA SPANAKOS**  
*NOTARY PUBLIC*  
MY COMMISSION EXPIRES AUG. 31, 2006