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Form PTO-1595 (Rev. 10/02) RI  U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office  
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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): Gabor Schmera *2-2704*  
 Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
 Execution Date: 02/27/04

2. Name and address of receiving party(ies)  
 Name: The United States of America as represented  
by the Secretary of the Navy  
 Internal Address: Office of Naval Research  
 Street Address: Ballston Tower One  
800 North Quincy Street  
 City: Arlington State: VA Zip: 22217-5660  
 Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s): 10789510  
 If this document is being filed together with a new application, the execution date of the application is: 02/27/04  
 A. Patent Application No.(s) \_\_\_\_\_  
 B. Patent No.(s) \_\_\_\_\_  
 Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Office of Patent Counsel  
 Internal Address: SPAWARSYSCEN  
CODE 20012  
 Street Address: 53510 Silvergate Avenue, #103  
 City: San Diego State: CA Zip: 92152-5765

6. Total number of applications and patents involved: 1  
 7. Total fee (37 CFR 3.41).....\$ 40.00  
 Enclosed  
 Authorized to be charged to deposit account  
 8. Deposit account number:  
50-0847

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9. Signature.  
Andrew J. Cameron, Reg No. 50281 *Andrew J. Cameron* 2/27/04  
 Name of Person Signing Signature Date  
 Total number of pages including cover sheet, attachments, and documents: 2

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

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Navy Case No. 95831

**ASSIGNMENT**

WHEREAS, I, Gabor Schmera of San Diego CA, while employed by the Government of the United States, have invented certain new and useful improvements in:

**SYSTEM AND METHOD OF MOLECULE COUNTING USING FLUCTUATION ENHANCED SENSORS**

identified as Navy Case No. 95831, described in application for Letters Patent of the United States of America executed by me on February 27, 2004; and

WHEREAS, the Government of the United States, represented by the Secretary of the Navy and hereinafter referred to as the Government, is desirous of acquiring an assignment of the invention disclosed in said application and other rights and benefits herein granted; and

WHEREAS, the conditions under which the invention was made are such as to entitle the Government under Paragraph 1(a) of Executive Order 10096, to the entire right, title and interest therein, including foreign rights; and


WHEREAS, as to foreign rights, it is the policy of the Government to obtain an option to exercise such rights;

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration the receipt of which is hereby acknowledged, I hereby assign and transfer to the Government the entire right, title and interest in and to said invention within the United States of America, its territories and possessions, and the entire right, title and interest in and to said application and any continuation, division or substitution thereof, and such Letters Patent to be held by the Government to the end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment not been made.

I do hereby also grant unto the Government, the option to take the entire right, title and interest in the invention and all patent applications or other forms of protection thereon in all countries foreign to the United States in which the Government may file, or cause to be filed, applications for Letter Patent or other forms of protection, without payment of any consideration; provided, however that this grant of an option to take foreign rights in the invention, or applications or other forms of protection thereon, shall have force and effect only as to such applications filed in foreign countries within eight months of the filing date of any application for United States Letter Patent covering the invention, or within eight months from the declassification of the invention, whichever is later, and that all foreign rights exercised under the option are left to us subject to a nonexclusive, irrevocable, royalty-free license to the Government in any patent or other form of protection which may issue on said invention in any foreign country, including the power to issue sublicenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government.

I hereby further agree to make, execute, and deliver to the Government, any and all papers, documents, affidavits, statements, or other instruments that may be necessary in the prosecution of the application and of any continuation, division or substitution of the application, or any application for reissue or extension of said Letters Patent, and to assist the Government in every way in protecting the invention as may be requested, provided that any expense arising through such efforts will be paid by the Government.

IN TESTIMONY WHEREOF, I have set our hand and affixed our seal.

  
Gabor Schmera

Date 2-27-04