



Docket No.: DEV0452

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Please return signed/Recorded to:

**CUSTOMER NO. 23531**

Kevin E. West  
Suiter • West PC LLO  
14301 FNB Parkway, Suite 220  
Omaha, NE 68154-5299

**ASSIGNMENT OF U.S. PATENT APPLICATION**  
(sole or joint inventor(s))

WHEREAS, the undersigned, to wit:

- 1) Mark A. Etter
- 2) Fredrick M. Morgan

(hereinafter collectively ASSIGNOR), have made application for United States Letters Patent

- (a) \_\_\_\_\_ which was executed and is being filed herewith in the United States Patent and Trademark Office
- (b) \_\_\_\_\_ which was filed on \_\_\_\_\_ and titled \_\_\_\_\_
- (c)  X  which was filed on August 6, 2004 and known as Appln. No. 29/210,905, titled IMPACT WRENCH

AND WHEREAS, Black & Decker, Inc. (hereinafter ASSIGNEE), a corporation organized and existing under the laws of Delaware, and having its principal place of business at Drummond Plaza Office Park, 1207 Drummond Plaza, Newark, Delaware 19711, is desirous of acquiring our entire right, title and interest in and to the invention, and in and to the said application and any Patent that may issue thereon;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives its entire right, title and interest in and to said invention and in and to said application and all patents which may be granted therefore, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as ASSIGNOR's interest is concerned, to the said ASSIGNEE of ASSIGNOR's entire right, title and interest.

ASSIGNOR also hereby sells and assigns to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world

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including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and

ASSIGNOR further agrees to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

ASSIGNOR hereby further agrees to communicate with said ASSIGNEE, or its successors, assigns and legal representatives, any facts known to us respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

ASSIGNOR hereby grant(s) the firm of Suiter • West PC LLO or its agents the power to insert on this assignment any further identification, including but not limited to application number(s) and filing dates, which may be necessary or desirable in order to comply with any rule or request of the United States Patent and Trademark office for the purposes of recording this document.

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Signed at Jackson, in the County of Madison, State of TN, this 24 day of November, 2004.

Mark A. Etter  
Mark A. Etter

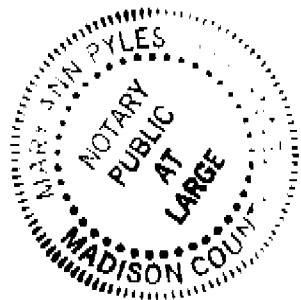
STATE OF Tennessee )  
COUNTY OF Madison )

I, Mary Ann Pyles, a Notary Public in and for the County and State aforesaid, (my Commission expires on 2/24/06) do hereby certify that **Mark A. Etter** personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this 24 day of November, 2004.

(SEAL)

Mary Ann Pyles  
Notary Public



Signed at Jackson, in the County of Madison, State of TN, this 29 day of November, 2004.

Frederick M. Morgan  
Frederick M. Morgan

STATE OF Tennessee,  
COUNTY OF Madison,

I, Mary Ann Pyles, a Notary Public in and for the County and State aforesaid, (my Commission expires on 11/21/08) do hereby certify that **Frederick M. Morgan** personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this 29 day of November, 2004.

(SEAL)

Mary Ann Pyles  
Notary Public

