

06-28-2004

Docket No.: 1442.004B

FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
P08A/REV03



ER SHEET

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Patent and Trademark Office

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To the Honorable Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

W. John Gardenier  
John V. Maiuccoro

6-15-04

## 2. Name and address of receiving party(ies):

Name: SARATOGA SPA & BATH, INC.Address: 33 WADE ROAD

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Assignment ConfirmationExecution Date: WJG-4/2/04; JVM-5/10/04City: LATHAMState/Prov.: N.Y.Country: UNITED STATESZIP: 12110

Additional name(s) &amp; address(es)

☐ Yes ☒ No

## 4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is

Patent Application No.

Filing date

B. Patent No.(s)

6,662,384

06/28/2004 6TOM11 00000013 6662384

1 FC:8021

40.00 OP

Additional numbers

☐ Yes ☒ No

2004 JUN 15 PM 2:58  
OPR/FINANCE

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

Name: VICTOR A. CARDONARegistration No. 44,589Address: Heslin Rothenberg Farley & Mesiti P.C.5 Columbia CircleCity: AlbanyState/Prov.: NYCountry: United StatesZIP: 12203

## 6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

## 8. Deposit account number:

08-1935

(Attach duplicate copy of this page if paying by deposit account)

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## 9. Statement and signature.

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.

VICTOR A. CARDONA

Name of Person Signing

Signature

JUNE 8, 2004

Date

3

Total number of pages including cover sheet, attachments, and

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services  
Director of the United States Patent and Trademark Office  
P.O. Box 1450, Alexandria, VA 22313-1450

PATENT  
REEL: 015487 FRAME: 0832

## **ASSIGNMENT CONFIRMATION**

**WHEREAS, WE,**

**W. John Gardenier**, a citizen of the United States, residing at 1 Ashwood Court, Albany, New York 12208, United States; and

**John V. Maiuccoro**, a citizen of the United States, residing at 106 Brandon Terrace, Albany, New York 12203, United States,

respectively, have invented certain new and useful improvements in

### **MOTORIZED CONTROL OF WATER DELIVERY THROUGH PORTS OF TUB, SPA OR SHOWER**

for which we have filed an application for Letters Patent on **October 29, 2002**, for U.S. Patent Application No. **10/282,445**, now **U.S. Patent No. 6,662,384**, which is a Continuation of U.S. Serial No. 09/497,331, filed February 3, 2000, now U.S. Patent No. 6,490,740, which is a Continuation-In-Part of U.S. Serial No. 09/339,714, filed June 24, 1999, now U.S. Patent No. 6,185,757; and

**WHEREAS, SARATOGA SPA & BATH, INC.**, having offices at 33 Wade Road, Latham, New York 12110, has obtained the entire right, title and interest in, to and under the said improvements and the said application in an Assignment dated **February 2, 2000**, and that said assignment incorrectly listed **Saratoga Spa & Bath Co., Inc.**, as the assignee therein.

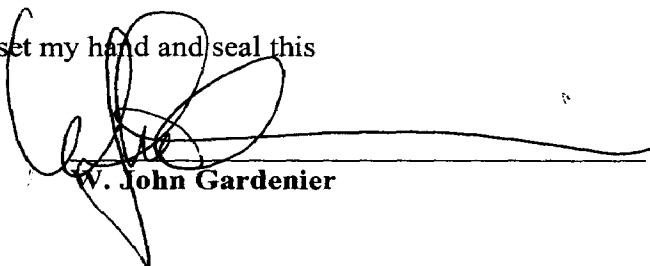
**NOW, THEREFORE**, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, We the said **W. John Gardenier** and **John V. Maiuccoro**, have sold, assigned, transferred and set over, and hereby confirm we have sold, assigned, transferred, and set over, in an Assignment dated **February 2, 2000**, and filed with the U.S. Patent and Trademark Office on **February 3, 2000**, unto the said **SARATOGA SPA & BATH, INC.**, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and We authorized and requested in the said Assignment that the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said **SARATOGA SPA & BATH, INC.**, its successors, legal representatives and assigns, in accordance with the terms of this instrument. This Assignment Confirmation is being executed to confirm our assignment and our intention to assign to **SARATOGA SPA & BATH, INC.** all right, title, and interest in the said improvements, instead of the incorrectly designated **Saratoga Spa & Bath Co., Inc.** as outlined in the said Assignment dated **February 2, 2000**, and filed with the U.S. Patent and Trademark Office on **February 3, 2000**.

**WHEREAS**, in consideration of the good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over, unto to said **SARATOGA SPA & BATH, INC.** its successors, legal representatives, and assigns, any right, title, or interest which may remain with us, to and under the said improvements, and the said application and any divisions, renewals, or continuations thereof, and any Letters Patent which may be granted thereon, and any reissues or extensions thereof, and any applications for Patent which may hereafter be filed for said improvements in

any country or countries foreign to the United States, and any Patent which may be granted for said improvements in any country or countries foreign to the United States and any extensions, renewals, or reissues thereof; We hereby authorize and request the Commissioner of Patents of the United States and the Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said **SARATOGA SPA & BATH, INC.**, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

**AND WE HEREBY** further covenant and agree that we will communicate to the said **SARATOGA SPA & BATH, INC.**, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said **SARATOGA SPA & BATH, INC.**, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

**IN TESTIMONY WHEREOF**, I hereunto set my hand and seal this  
2 day of April, 2004.

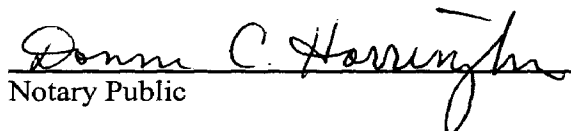


W. John Gardenier

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF )

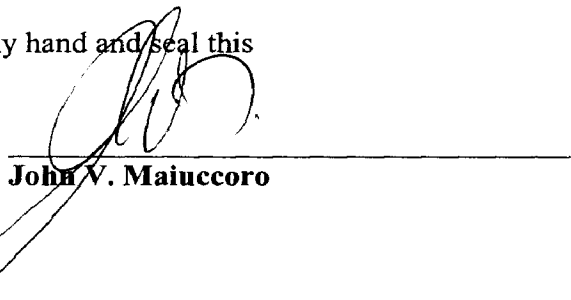
On this 2 day of April, 2004, before me personally came **W/ John Gardenier**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

**DONNA C. HARRINGTON**  
 Notary Public, State of New York  
 Qualified in Schenectady County  
 No. 4946176  
 Commission Expires Jan. 27, 2007



Notary Public

**IN TESTIMONY WHEREOF**, I hereunto set my hand and seal this  
10 day of May, 2004.



John V. Maiuccoro

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF )

On this 10 day of May, 2004, before me personally came **John V. Maiuccoro**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

**DONNA C. HARRINGTON**  
 Notary Public, State of New York  
 Qualified in Schenectady County  
 No. 4946176  
 Commission Expires Jan. 27, 2007



Notary Public

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