



102776225

ATTY. DOCKET NO. 137/4

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying part(ies):

Charles E. Payne, Jr.

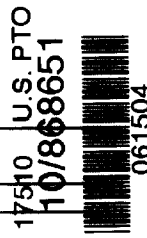
2. Name and address of receiving party(ies):

Name: Headwear, Inc.

Internal Address: Same as Street Address

Street Address: 13800 Walkers Creek Drive

City/State/Zip: Charlotte, North Carolina 28273



Additional name(s) of conveying party(ies) attached? [ ] Yes [XX] No Additional name(s) & address attached? [ ] Yes [XX] No

3. Nature of Conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date June 15, 2004

6-15-04  
1086865 ✓

4. Application Number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: June 15, 2004

A. Patent Application No.(s)

B. Patent Registration No.(s)

06/21/2004 HALI11 00000060 10868651

FE FC:8021

40.00 DP

Additional numbers attached?  Yes [XX] No

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

Name: Jeffrey J. Schwartz  
SCHWARTZ LAW FIRM, P.C.  
SouthPark Towers  
6100 Fairview Road, Suite 530  
Charlotte, NC 28210

6. Total Number of applications and registrations involved: one

7. Total Fee (37 C.F.R. 3.41) \$ 40.00  
 Enclosed  
 Authorized to be charged to deposit for deficiencies only

8. Deposit Account No. 50-2716

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.

Jeffrey J. Schwartz  
Name of Person Signing

[Signature]  
Signature

June 15, 2004  
Date

Total number of pages including cover sheet, attachments, and document: 3

### ASSIGNMENT

I, Charles E. Payne, Jr., a citizen and resident of the United States of America and residing at 4215 Alderwood Lane, Charlotte, North Carolina, 28215, U.S.A., in consideration of the sum of \$1.00 (One Dollar), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby sell, assign and transfer unto HEADWEAR INC., a corporation organized under the laws of the state of North Carolina, and having an office at 13800 Walkers Creek Drive, Charlotte, North Carolina, 28273, U.S.A., ("ASSIGNEE"), the entire right, title and interest, together with all rights of priority, in and to my invention entitled "ELECTRODE HOLDER, HEADWEAR, AND WIRE JACKET ADAPTED FOR USE IN SLEEP APNEA TESTING", as described in the application executed by me simultaneously herewith on this \*15 day of JUNE, 2004, preparatory to obtaining Letters Patent of the United States therefor; and as described and/or claimed in any and all applications for Letters Patent based thereon including divisions, continuations and reissues thereof as well as all foreign counterparts thereof together with all Letters Patent issuing on any of the aforesaid applications for Letters Patent, the same to be held and enjoyed by ASSIGNEE, its successors, assigns or other legal representatives, to the full ends of the terms of all said Letters Patent therefor which may be granted.


AND I HEREBY AUTHORIZE ASSIGNEE to make applications for and to receive Letters Patent for said invention in any foreign countries in its own name, or in my name, at its election.

AND I HEREBY COVENANT AND AGREE that I will execute or procure any further necessary assurance of title to said invention and any Letters Patent which may issue therefor and that I will, at any time, upon the request and at the expense of ASSIGNEE deliver any testimony in any legal proceedings and execute all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patent which may be granted therefor in ASSIGNEE, its successors, assigns, or other legal representatives, and that I will, at any time, upon the request and at the expense of ASSIGNEE execute any continuations, divisions,

reissues, or any other additional applications for Letters Patent for said invention or any part or parts thereof, all of which applications and any Letters Patent issuing thereon are hereby assigned to ASSIGNEE, and will make all rightful oaths, and do all lawful acts requisite for procuring the same therein, without further compensation, but at the expense of ASSIGNEE, its successors, assigns or other legal representatives.

AND I HEREBY AUTHORIZE AND REQUEST the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States for said invention, resulting from any of the aforesaid applications to said HEADWEAR, INC., as sole ASSIGNEE.

WITNESS MY hand and seal this \*15 day of JUNE, 2004.

\*   
Charles E. Payne, Jr.