

FORM PTO 1585

RE 07-27-2004 ET



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To the Honorable Commissioner for Patents: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

@POS.COM, INC.

6480 Via Del Oro  
San Jose, California 95119

Additional name(s) of conveying parties attached?  Yes x No

2. Name and address of receiving party(ies)

Name: **SYMBOL TECHNOLOGIES, INC.**

Street Address:

One Symbol Plaza  
Holtsville, New York 11742

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other: \_\_\_\_\_

Execution date: 5/28/04

4. Application numbers or patent numbers:

A. Patent Applications: 09/615,363 filed on July 13, 2000

B. Patent No.(s):

Additional Numbers attached?  Yes  No

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

Name: Oleg F. Kaplun, Esq.  
Internal Address: Fay Kaplun & Marcin, LLP

Street Address: 150 Broadway, Suite 702  
City: New York State: New York ZIP: 10038

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. 3.41) ..... \$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

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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.

Oleg F. Kaplun, (Reg. No. 45,559)

Name of Person Signing

Signature

7/20/04

Date

Total Number of pages including cover sheet, attachments, and document: 2

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion  
Mail documents to be recorded with required cover sheet information to:

Mail Stop: Assignments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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FINANCE SECTION

ASSIGNMENT

WHEREAS, @POS.COM, Inc. (hereinafter "ASSIGNOR"), a corporation organized and existing under and by virtue of the laws of the State of Delaware, having an office at 6480 Via Del Oro, San Jose, CA 95119, is the owner of the entire right, title and interest in and to the following Patent Application:

**U.S. Patent Application Serial No. 09/615,363 filed on July 13, 2000**

WHEREAS, Symbol Technologies Inc. (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the State of Delaware, having an office at One Symbol Plaza, Holtsville, NY 11742, is desirous of acquiring the entire right, title and interest in and to the Patent Application and invention therein described and claimed and any Letters Patent that may be issued upon the Patent Application or for the improvements therein contained (hereinafter referred to collectively as "Patent Rights");

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the ASSIGNOR hereby sells, assigns, transfers, and delivers to the ASSIGNEE, its successors, assignees and legal representatives the entire right, title, and interest in and to the Patent Rights and any and all other applications for Letters Patent on the inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon the inventions or discoveries, or upon the applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for the inventions and discoveries or upon the applications, and every priority right that is or may be predicated upon or arise from the inventions, the discoveries, the Patent Applications, and the Letters Patent.

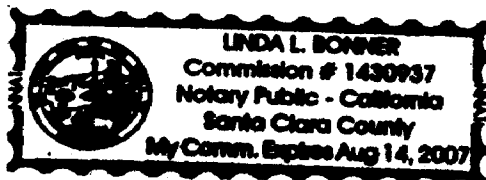
AND, ASSIGNOR hereby further agrees for itself and its successors, assigns, and legal representatives to execute upon request any other lawful documents and likewise to perform any other necessary lawful acts to the ASSIGNEE, its successors, assigns, and legal representatives.

IN WITNESS WHEREOF, the parties have caused this ASSIGNMENT to be duly executed and delivered as of the date set forth below.

By: Christopher Frerking  
 Name: Christopher Frerking, Esq.  
 Title: General Counsel and Secretary  
 Company: @POS.COM, Inc.

State/Commonwealth of California ) ss.:  
 County of Santa Clara )

On this 28<sup>th</sup> day of May 2004, before me personally came Christopher Frerking, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of same.



Linda L. Bonner  
 Notary Public