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Form PTO-1595

# RECORDATION FORM COVER SHEET PATENTS ONLY

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DTSS Rec'd PCT/PTO 05 MAR 2004

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

1. Name of conveying party(ies):

**Klaus KÜPPERS**  
**Meinert MEYER**  
**Thomas NERZAK**

07-28-2004



102800044

Additional name(s) of conveying party(ies) attached? No

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

SMS MEER GMBH

**OHLERKIRCHWEG 66**  
**D-41069 MÖNCHENGLADBACH**  
**GERMANY**

3. Nature of conveyance:

- ☒ Assignment
 ☐ Merger  
☐ Security Agreement
 ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: 12 and 19 February 2004

Additional name(s) &amp; address(es) attached? No

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

101489130

If this document is being filed with a new application, the execution date of the application is: 12 and 19 February 2004

A. Patent Application No(s).

**US Phase of PCT/EP02/10512**  
**Filed concurrently herewith**

B. Patent No(s).

Additional numbers attached? No

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

**The Firm of Karl F. Ross P.C.**  
**Customer Number 000535**  
**5676 Riverdale Avenue Box 900**  
**Riverdale (Bronx), NY 10471-0900**

Tel: (718) 884-6600

6. Total number of applications and patents involved:

1

7. Total fee (37CFR3.41) \$40

- ☐ Check enclosed  
☐ Charge to deposit account  
☒ Charge to credit card (PTO-2038 attached)

8. Charge any deficiency to 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.

Herbert Dubno Reg. No. 19,752

Signature

4 March 2004

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

## ASSIGNMENT

In Consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we the undersigned,

**Klaus KÜPPERS**, Holunderweg 30, Erkrath, Germany;

**Meinert MEYER**, Friedenstrasse 5, Erkrath, Germany; and

**Thomas NERZAK**, Im Meldegang 2, Gelsenkirchen, Germany

hereby sell, assign and transfer to

**SMS Meer GmbH**

a limited-liability company of Germany having a place of business at

**Ohlerkirchweg 66**

**D-41069 Mönchengladbach**

**Germany**

its successors, assigns, and legal representatives, our entire right title and interest for the United States and all foreign countries, in and to the improvements disclosed in the application for United States Letters Patent which has been executed by the undersigned concurrently herewith as the US national phase of PCT application **PCT/EP02/10512** filed **19 September 2002** and which is entitled

**METHOD AND SYSTEM FOR THERMAL TREATMENT OF RAILS**

and in and to the application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on the improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on the improvements.

We agree that the Assignee may apply for and receive Letters Patent for the improvements in its own name; and that, when requested, without charge to but at the expense of the Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all rightful Oaths, Assignments, Powers of Attorney, and other papers; communicate to the Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to the improvements and the history thereof; and generally do everything possible which the Assignee, its successors, assigns, or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for the improvements and for vesting title to the improvements and all applications for patents and all patents on the improvements in the Assignee, its successors, assigns, and legal representatives; and

We covenant with the Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey same as herein expressed is possessed by the undersigned.

Date: 19. Feb. 2004

Klaus Küppers  
**Klaus KÜPPERS**

Date: 19. Feb. 04

Meinert Meyer  
**Meinert MEYER**

Date: 12th February 2004

Thomas Nerzak  
**Thomas NERZAK**