

08-23-2004

U.S. DEPARTMENT OF COMMERCE



EET

Patent and Trademark Office  
Docket No. 569967-22

102819123

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

1. Name of conveying party(ies):  
CELESTRON ACQUISITION LLC

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation-State ☐ Other

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ License Patents

Execution Date: July 2, 2004

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

Name: MEADE INSTRUMENTS CORP.  
Internal Address:  
Street Address: 6001 Oak Canyon  
City: Irvine, State: California ZIP: 92618

Additional name(s) & address(es) attached? ☐ Yes ☒ No

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: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

- 1) D438,221  
2) D454,899  
3) 6,467,738

Additional numbers attached? ☐ Yes ☐ No

101 AUG 19 AM 7:50  
OPR/FINANCE

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

Brian M. Berliner  
O'MELVENY & MYERS LLP  
400 South Hope Street  
Los Angeles, CA 90071-2899

6. Total number of applications and patents involved: 3

7. Total fee (37 C.F.R. § 3.41): \$120.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account, referencing Attorney Docket

8. Deposit account number: 50-0639

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 50-0639

**DO NOT USE THIS SPACE**

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.

Name: Brian M. Berliner  
Registration No: 34,549

Signature

August 16, 2004  
Date

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

Mail documents to be recorded with required cover sheet information to:

Mail Stop: Assignment Recordation Services  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

08/20/2004 DBYRNE 00000013 D438221

01 FC:8021

120.00 OP

## NOTICE AND MEMORANDUM OF LICENSE

This Notice and Memorandum provides notice and a summary of a patent license (the "License") granted as part of the Settlement Agreement entered into, effective May 10, 2004, between Meade Instruments Corp. ("Meade"), on the one hand, and Celestron Acquisition LLC ("Celestron") and James Feltman ("Feltman"), on the other. The License is subject to terms and conditions as fully stated in that agreement.

1. **Licensor.** The licensor is Celestron Acquisition LLC.
2. **Licensee.** The licensee is Meade Instruments Corp. The License extends not only to Meade, but also to Meade's customers, suppliers, vendors, employees, and agents for conduct in their capacities as such.
3. **Licensed Patents.** The license covers (a) U.S. Design Patent No. D438,221, (b) U.S. Design Patent No. D454,899, (c) U.S. Patent No. 6,467,738, and (d) all patents "Related" to any of the foregoing patents (collectively, the "Licensed Patents"). As used in the License, a patent is "Related" to another patent if: (1) the patent results from a continuation application, divisional application, or continuation in-part application or any other type of application, claiming priority from the other patent or its predecessor applications, or (2) the patent is a reissue or reexamination of the patent or of any patent resulting from any of the foregoing applications.
4. **Licensed Acts.** The Licensee is granted a non-exclusive license, for the full remaining term of any and all of the Licensed Patents, to make, use, have made, sell, offer for sale, or import any and all products, methods or anything else covered by any of the Licensed Patents.

Dated: July 2, 2004

Celestron Acquisition LLC

By: 

Name: Joseph A. Lupica, Jr.  
Its: President & CEO