

11-15-04

11-17-2004

Form PTO-1595
(Rev. 10/02, modified)
OMB No. 0651-0027 (exp. 6/30/2005)

RECORD/
F



102882259

U.S. Department of Commerce
Patent and Trademark Office

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

1. Name of conveying party(ies):

Ray F. Stewart

Additional names of conveying parties attached? Yes No

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

Bay Materials LLC
164 Jefferson Drive, Unit O
Menlo Park, CA 94025

Additional names of receiving parties attached? Yes No

3. Nature of conveyance: Assignment
 Merger Security Agreement
 Change of Name Reassignment
 Other
Execution date: July 9, 2004.

4. Application number(s) and/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)
10/857,634 filed May 28, 2004

B. Patent No.(s)

Additional numbers attached: Yes No

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

Customer No. 22918
Perkins Coie LLP
P.O. Box 2168
Menlo Park, CA 94026
(650) 838-4300

6. Total No. of applications and patents involved: one (1)
7. Total fee (37 CFR §3.41): \$40.00
 Enclosed
 Charge Deposit Account No. 50-2207
8. Deposit Account No. 50-2207

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

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.

Judy M. Mohr _____ November 10, 2004
Name of Person Signing Signature Date

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

**ASSIGNMENT OF APPLICATION
(SOLE)**

Address to:
Mail Stop Assignment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22212-1450

| | |
|------------------------|-----------------------|
| Attorney Docket Number | BMAT-002 |
| First Named Inventor | STEWART, RAY F. |
| Application Number | 10/857,634 |
| Filing Date | May 28, 2004 |
| Group Art Unit | |
| Examiner Name | |
| Title: | "PHASE CHANGE SENSOR" |

THIS ASSIGNMENT, by STEWART, RAY F. (hereinafter referred to as the assignor), residing in Redwood City, California, witnesseth:

WHEREAS, the said assignor has invented certain new and useful improvements in:

"PHASE CHANGE SENSOR"

 X filed on May 28, 2004 as U.S. Application Serial No. or PCT International Application No. designating the United States 10/857,634.
 for which an application for a United States Patent was executed on , and

WHEREAS, Bay Materials LLC a Corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 164 Jefferson Drive, Unite O, Menlo Park, California 94025 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said invention and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, said assignor has sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned invention, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and behalf and the use and behalf of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignor, had this sale and assignment not been made.

AND for the same consideration, the said assignor hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignor is the sole and lawful owner of the entire right, title and interest in and to said invention and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignor hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignor will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said invention, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said invention in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said invention, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND the said assignor hereby requests the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said invention and the Letters Patent to be issued thereon for the sole use and behalf of said assignee, its successors, legal representatives and assigns.

Date 7-9-2004 Name of Inventor Ray F. Stewart
STEWART, RAY F.