



To the Honorable Commissioner of

original documents or copy thereof.

1. Name of conveying party(ies):

102969220

Name of receiving party(ies)

Charles J. Burout, III, Joseph Geringer, J. Neil Gleason, Kenneth David Harris, Jr., Jay D. Newcomer and Steven H. Schwartz

Name: Brookstone Purchasing, Inc.

Street Address: 17 Riverside Street

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

City: Nashua State: NH Zip: 03062

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Country: U.S.A. Postal Code:

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

Execution Date(s):

1st Inventor: 8/12/2004 5th Inventor: 8/12/2004
 2nd Inventor: 8/9/2004 6th Inventor: 8/10/2004
 3rd Inventor: 8/9/2004
 4th Inventor: 8/9/2004

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

If this document is being filed together with a new application, the filing date of the application is:

A. Patent Application No.(s) 29/206,813

B. Patent No.(s)

Additional numbers attached? Yes No

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

Attorney Name: Gunnar G. Leinberg, Esq

Firm Name: Nixon Peabody LLP

Internal Address:

Street Address: Clinton Square, P.O. Box 31051

City: Rochester State: NY Zip: 14603-1051

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

14-1138

(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.

Gunnar G. Leinberg

Name of Person Signing
Registration No. 35,584

Gunnar Leinberg
Signature

3/23/05
Date

Total number of pages including cover sheet, attachments, and documents:

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

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transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.

March 23, 2005
Date

Patricia Knisley
Signature

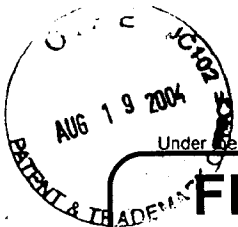
Patricia Knisley

Typed or printed name

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FINANCE SECTION



08-25-2004



Approved for use through 07/31/2006. OMB 0651-0032 Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 170)

Complete if Known

Application Number	29/206,813
Filing Date	June 3, 2004
First Named Inventor	Bean
Examiner Name	TBD
Art Unit	TBD
Attorney Docket No.	Brook.1041 (33964/1310)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number: 50-3205

Deposit Account Name: Brookstone Company, Inc.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: -20** = X =

Independent Claims: -3** = X =

Multiple Dependent: =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 0)

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$ 170)

08/24/2004 LMJELLER 00000166 503205 29206813 40.00 PG

SUBMITTED BY (Complete if applicable)

Name (Print/Type)	Andrea L. Hirst	Registration No. (Attorney/Agent)	55,269	Telephone	603 577-8274
Signature	<i>Andrea L. Hirst</i>	Date	August 13, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

WHEREAS, We, **Charles J. Burout, III**, a citizen of the United States of America, residing at **5 Canterbury Lane, Bedford, New Hampshire 03110**, **Joseph Geringer**, a citizen of the United States of America, residing at **7 Kinsman Lane, Merrimack, New Hampshire 03054**, **J. Neil Gleason**, a citizen of the United States of America, residing at **50 Christmas Tree Lane, Milford, New Hampshire 03055**, **Kenneth David Harris, Jr.**, a citizen of the United States of America, residing at **77 Richardson Road, Hollis, New Hampshire 03049**, **Jay D. Newcomer**, a citizen of the United States of America, residing at **226 Mitchell Street, Manchester, New Hampshire 03103**, and **Steven H. Schwartz**, a citizen of the United States of America, residing at **58 McAfee Farm Road, Bedford, New Hampshire 03110** have invented certain new and useful improvements in **MASSAGER** for which we have executed an application for Letters Patent in the United States, filed as U. S. Serial No. **29/206,813** on **June 3, 2004**;

AND WHEREAS, **Brookstone Purchasing, Inc.**, a **New Hampshire** corporation, with its principal place of business at **17 Riverside Street, Nashua, New Hampshire 03062**, desires to acquire the entire right, title and interest in and to the said improvements and the said Application:

NOW, THEREFORE, for good and valuable consideration, including salary or payment for the making of inventions, or employee benefits, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said **Brookstone Purchasing, Inc.**, its successors, legal representatives and assigns, the entire right, title and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said **Brookstone Purchasing, Inc.**, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said **Brookstone Purchasing, Inc.**, its successors, legal representatives and assigns, any facts known to us respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said **Brookstone Purchasing, Inc.**, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of _____, 2004.

Charles J. Burout, III

STATE OF NH
COUNTY OF Hillsborough SS:

This ____ day of _____, 2004, before me personally came the above-named **Charles J. Burout, III**, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

Notary Public
Commission expires on _____.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 9 day of AUGUST, 2004.

Joseph Geringer
Joseph Geringer

STATE OF NH
COUNTY OF Hillsborough SS:

This 9th day of Aug, 2004 before me personally came the above-named **Joseph Geringer**, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires October 27, 2004

Judith L. Curdo
Notary Public
Commission expires on _____.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 9th day of August, 2004.

J. Neil Gleason
J. Neil Gleason

STATE OF NH
COUNTY OF Hillsborough SS:

This 9th day of Aug, 2004, before me personally came the above-named **J. Neil Gleason**, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires October 27, 2004

Judith L. Curdo
Notary Public
Commission expires on _____.

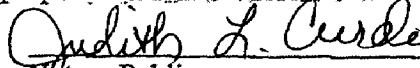
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 12th day of AUGUST, 2004.


Charles J. Burout, III

STATE OF NH
COUNTY OF Hillsborough SS:

This 12th day of Aug, 2004, before me personally came the above-named Charles J. Burout, III, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires October 27, 2004


Notary Public
Commission expires on _____


IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 9 day of AUGUST, 2004.


Joseph Geringer

STATE OF NH
COUNTY OF Hillsborough SS:

This 9th day of Aug, 2004 before me personally came the above-named Joseph Geringer, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires October 27, 2004


Notary Public
Commission expires on _____

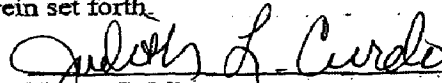
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 9th day of August, 2004.


J. Neil Gleason

STATE OF NH
COUNTY OF Hillsborough SS:

This 9th day of Aug, 2004, before me personally came the above-named J. Neil Gleason, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires October 27, 2004


Notary Public
Commission expires on _____

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 9 day of AUG., 2004.

Kenneth David Harris, Jr.
Kenneth David Harris, Jr.

STATE OF NH
COUNTY OF Hillsborough SS:

This 9th day of Aug, 2004, before me personally came the above-named **Kenneth David Harris, Jr.**, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires October 27, 2004

Judith L. Curdo
Notary Public
Commission expires on _____.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____ day of _____, 2004.

Jay D. Newcomer

STATE OF _____
COUNTY OF _____ SS:

This _____ day of _____, 2004, before me personally came the above-named **Jay D. Newcomer**, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

Judith L. Curdo
Notary Public
Commission expires on _____.

of August IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of _____, 2004.

Steven H. Schwartz

Steven H. Schwartz

STATE OF NH
COUNTY OF Hillsborough SS:

This 10th day of Aug, 2004 before me personally came the above-named **Steven H. Schwartz**, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires October 27, 2004

Judith L. Curdo
Notary Public
Commission expires on _____.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 9 day of AUG., 2004.

Kenneth David Harris, Jr.
Kenneth David Harris, Jr.

STATE OF NH
COUNTY OF Hillsborough SS:

This 9th day of Aug, 2004, before me personally came the above-named Kenneth David Harris, Jr., to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires **October 27, 2004**

Judith L. Curdo
Notary Public
Commission expires on _____

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 12th day of August, 2004.

Jay D. Newcomer
Jay D. Newcomer

STATE OF NH
COUNTY OF Hillsborough SS:

This 12th day of Aug, 2004, before me personally came the above-named Jay D. Newcomer, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

JUDITH L. CURDO, Justice of the Peace
My Commission Expires **October 27, 2004**

Judith L. Curdo
Notary Public
Commission expires on _____

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____ day of _____, 2004.

Steven H. Schwartz
Steven H. Schwartz

STATE OF _____
COUNTY OF _____ SS:

This _____ day of _____, 2004 before me personally came the above-named Steven H. Schwartz, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.

Notary Public
Commission expires on _____