

Form PTO-1535 (Rev. 09/04)
OMB No. 0651-0027 (exp. 6/30/2005)

Navy Case No. 96,914

U.S. DEPARTMENT OF COMMERCE
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To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Philip John Dudt
David R. Forrest
Jennifer P. Nguyen

Execution Date(s) April 21, 2005

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Thomas McDonnell

Internal Address: Chief of Naval Research

Office of Counsel

Dept. of the Navy

Street Address: 800 North Quincy Street

City: Arlington

State: Virginia

Country: USA Zip: 22217-5660

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

4. Application or patent number(s):

A. Patent Application No.(s)

11/126,510

☐ This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: John Forrest Code 39

Internal Address: Office of Counsel

Naval Surface Warfare Center, Carderock Division

Street Address: 9500 MacArthur Blvd.

City: West Bethesda

State: Maryland Zip: 20817

Phone Number: 301 227-1835

Fax Number: 301 227-1968

Email Address: _____

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 50-0958

Authorized User Name John Forrest

9. Signature:

John Forrest, Reg. No. 29,378

Name of Person Signing

Signature

Date

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

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

CH \$40.00 600968 11126610

Serial No. 11/126,510
Filed: May 9, 2005**ASSIGNMENT OF INVENTION**

WHEREAS I (we) Philip John Dudd, David R. Forrest and Jennifer P. Nguyen of Rockville, Maryland, Gaithersburg, Maryland and Sterling, Virginia, respectively, while employed by the Government of the United States of America, hereinafter referred to as the Government, have made an invention entitled **FRICTION STIRRED INTRODUCTION OF PARTICLES INTO A METALLIC SUBSTRATE FOR SURFACE DURABILITY TREATMENT** identified as Navy Case No. 96,914 and described in application for Letters Patent of the United States of America as executed by me (us) on April 18 & 21, 2005; and

WHEREAS, the conditions under which the invention was made are such as to entitle the Government under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest therein, including foreign rights; and

WHEREAS, the Government desires to obtain the entire right, title and interest in and to the invention disclosed in said application within the United States of America, its territories and possessions and other rights and benefits herein granted; and

WHEREAS, the Government desires an option to obtain the foreign rights in and to the invention;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration the receipt of which is hereby acknowledged, I (we) hereby assign and transfer to the United States of America as represented by the Secretary of the Navy the entire right, title, and interest in and to said invention within the United States of America, its territories and possessions, and the entire right, title, and interest in and to said application and any continuation, division or substitution thereof, and such Letters Patent as may issue therefrom and any reissue or extensions thereof, said invention, application and Letters Patent to be held by the United States of America as represented by the Secretary of the Navy to the end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this assignment not been made.

I (We) do hereby also grant to the Government, the option to take the entire right, title, and interest in and to the invention and all patent applications, patents and other forms of protection thereon in countries foreign to the United States of America within eight months of the filing date of any application for United States Letters Patent covering the invention; such option to be exercised by a written notification to me (us) within such eight months identifying the specific foreign countries in which the Government will file or cause to be filed an application for patent or other form of protection on the invention; and that the rights in the foreign countries not exercised under the option are left to me (us) subject to a nonexclusive, irrevocable, royalty-free license to the Government in any patent or other form of protection which may issue on the invention in any foreign country, including the power to issue sub-licenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government.

I (WE) hereby further agree to make, execute, and deliver to the Government, any and all papers, documents, affidavits, statements or other instruments that may be necessary in the prosecution of the application and any continuation, division or substitution of the application, or any application for reissue or extension of said Letters Patent, and to assist the Government in every way in protecting the invention as may be requested, provided that any expense arising through such efforts will be paid by the Government.

IN TESTIMONY WHEREOF, I (we) have set my (our) hand(s) and affixed my (our) seal(s).

18 April 2005
Date

Philip John Dudd Seal
PHILIP JOHN DUDT

18 April 2005
Date

David R. Forrest Seal
DAVID R. FORREST

21 April 2005
Date

Jennifer P. Nguyen Seal
JENNIFER P. NGUYEN