

5/23/05

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RECORDA

103012069

Attorney Docket 7947/85024

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

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

Kevin Markley  
James A. Elzey

Execution Date(s) May 23, 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 Licence
- Other \_\_\_\_\_

2. Name and address of receiving party(ies)

Name: Rain Bird Corporation

Internal Address: \_\_\_\_\_

Street Address: 145 North Grand Avenue

City: Glendora

State: California

Country: \_\_\_\_\_

Zip: 91741

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

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Mark W. Hetzler

FITCH, EVEN, TABIN & FLANNERY

Street Address: Suite 1600

120 South LaSalle Street

City: Chicago

State: Illinois ZIP: 60603-3406

Phone Number: (312) 577-7000

Fax Number: (312) 577-7007

Email Address: mwhetz@fitcheven.com

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 to deposit account
- Enclosed
- None required (government interest not affecting title)

8. Payment Information

Deposit Account Number 06-1135

Authorized User Name Mark W. Hetzler

9. Signature: Mark W. Hetzler

Signature

May 23, 2005

Date

Name of Person Signing Mark W. Hetzler

Registration No. 38,183

Total number of pages including cover sheet, attachments, and documents: 4

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, VA 22313-1450

PATENT  
REEL: 016597 FRAME: 0766

113262 U.S. PTO  
11/135920

05/27/2005 EQUIPER 00000650 061135 11135920 40.00 PA 01 FC: 0021

**ASSIGNMENT**

We, KEVIN MARKLEY, of Vail, County of Pima and State of Arizona and JAMES A. ELZEY, of Tucson, County of Pima and State of Arizona, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to RAIN BIRD CORPORATION, a California corporation, having a place of business at 145 North Grand Avenue, Glendora, California 91741, its successors, assigns and legal representatives, the entire right, title and interest, in and to all subject matter invented by us and disclosed in the application for Letters Patent of the United States entitled

**ROTARY IRRIGATION SPRINKLER NOZZLE**

signed by each of us contemporaneously with the execution of this assignment; and in and to all Letters Patent and all Convention and Treaty rights of all kinds, including the right to claim priority from said application, and all rights in and to any continuation, continuation-in-part, and divisional application therefrom, and any reissue or re-examination as to any Letters Patent issuing therefrom, in all countries throughout the world, for all such subject matter described therein, including all rights of action and rights to recover damages for past infringements, and request issuance of all said Letters Patent to the above assignee in accordance with this assignment.

We agree to do all lawful acts, including the execution of all papers and the giving of testimony, necessary or desirable to obtain, sustain, reissue, or enforce said Letters Patent and rights in all countries throughout the world, and to perfect, record, or maintain the title of Assignee, its successors, assigns and legal representatives, to said invention, said application, and any Letters Patent granted for said invention in all countries throughout the world.

We represent and warrant that we have not granted and will not grant to others any rights inconsistent with the rights granted herein, and that said invention, said application,

and any Letters Patent granted for said invention are free and clear of all encumbrances and liens.

We hereby authorize and request our attorneys, Fitch, Even, Tabin & Flannery, of 120 South LaSalle Street, Suite 1600, Chicago, Illinois 60603-3406, to insert herein parenthesis (Application No. \_\_\_\_\_, filed \_\_\_\_\_) the filing date and application number of said application when known.

5/23, 2005 Kevin Markley  
Kevin Markley

STATE OF ARIZONA )  
                                  ) ss  
COUNTY OF PIMA )

On May 23, 2005, before me, Patricia L Norman  
Notary Public, personally appeared KEVIN MARKLEY,

- personally known to me or
- proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Patricia L Norman  
Signature of Notary Public

STATE OF AZ  
COUNTY OF Pima } ss.  
This instrument was acknowledged before me this 23 day of May, 2005, by Kevin Markley  
to whom whereof I have set my hand and official seal.  
Patricia L Norman  
Notary Public

