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6/2/05

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):

Robert W. Donegan

Execution Date(s) 03/18/2005

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

2. Name and address of receiving party(ies)

Name: Perky-Pet Products Company, Inc.

Internal Address: _____

Street Address: 2201 South Wabash Street

City: Denver

State: Colorado

Country: USA Zip: 80231

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

3. Nature of conveyance:

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

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)

29/224,493

B. Patent No.(s)

Additional numbers attached? Yes No

OPR/FINANCE JUN -2 AM 8:07

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

Name: Timothy J. Martin, P.C.

Internal Address: Suite 200

Street Address: 9250 W. 5th Avenue

City: Lakewood

State: Colorado Zip: 80226

Phone Number: 303-232-3388

Fax Number: 303-232-3288

Email Address: becky@tjmlaw.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 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 13-1940

Authorized User Name Timothy J. Martin, P.C.

9. Signature:

Robert W. Donegan
Signature

05-31-2005
Date

06/03/2005 00000032 29224493

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Robert W. Donegan

Name of Person Signing

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

3

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

PATENT
REEL: 016629 FRAME: 0387

ASSIGNMENT

WHEREAS, Robert W. Donegan (hereinafter referred to as "Donegan") of 161 East Fairchild Drive, Highlands Ranch, Colorado 80126 has invented and owns a certain new and useful **BIRDFEEDER** for which application for Letters Patent of the United States was filed in the United States Patent Office, said application being identified as Docket Number 2103 in the files of the law offices of Timothy J. Martin, P.C.;

WHEREAS, Perky-Pet Products Company, Inc. (hereinafter referred to as "Perky-Pet"), a corporation organized and existing under the laws of the State of Delaware, and having a place of business located at 2201 South Wabash Street, Denver, Colorado 80231, is desirous of acquiring the entire right, title and interest therein and thereto;

NOW, THEREFORE, be it known that for and in consideration of the sum of Ten Dollars (\$10.00) and certain other good and valuable consideration to Donegan in hand paid, the receipt of which is hereby acknowledged, the said Donegan by these presents does sell, assign and transfer unto the said Perky-Pet, its successors, legal representatives and assigns, his entire right, title and interest in and to the said invention, the aforesaid application and any and all applications derived therefrom (including but not limited to continuations, divisionals, continuations-in-part, continued prosecution applications (CPAs), and requests for continued examination applications (RCEs)), for the territory of the United States of America and for all foreign countries and to all Letters Patents and reissues thereof and extensions to be obtained therefor. Donegan further agrees to cooperate with Perky-Pet in the obtaining and sustaining of any and all such Letters Patents, but at the expense of Perky-Pet. Perky-Pet hereby acknowledges and accepts the sale, assignment and transfer of the same.

Donegan further hereby assigns and agrees to assign to Perky-Pet the entire right, title and interest, domestic and foreign, which Donegan may have in any discoveries, improvements and inventions made, conceived or developed by Donegan in connection with the development of said invention and does further agree to execute all applications for patent, assignments and other appropriate documents and to perform all things necessary to make this Assignment effective and to perfect all right, title and interest in and to said discoveries, improvements or inventions in said Perky-Pet. Perky-Pet hereby acknowledges and accepts the assignment and agreement to assign the same.

Donegan hereby authorizes and requests the law offices of Timothy J. Martin, P.C., to insert here in parentheses (Application number 29/224,493, filed March 2, 2005) the filing date and application number of said application when known.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment to Perky-Pet, its successors, legal representatives and assigns of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals on the respective date(s) set forth hereinafter.

Date: 3-18-05

By: [Signature]
Robert W. Donegan

Date: 3-18-05

By: [Signature]
Robert W. Donegan, President
Perky-Pet Products Company, Inc.

STATE OF COLORADO)

ss.

COUNTY OF ARAPAHOE)

Before me, a Notary Public in and for the said County and State, personally appeared Robert W. Donegan, who is known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and considerations therein expressed this 18 day of MARCH, 2005.

(SEAL)

[Signature]
Notary Public
10671 WINTERSWEET PL
Address
PARKER, CO 80134
City, State and Zip Code

MY COMMISSION EXPIRES

My Commission Expires: JULY 12, 2008

STATE OF COLORADO)

ss.

COUNTY OF ARAPAHOE)

Before me, a Notary Public in and for the said County and State, personally appeared Robert W. Donegan, President, Perky-Pet Products Company, Inc., who is known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and considerations therein expressed this 18 day of MARCH, 2005.

(SEAL)

[Signature]
Notary Public
10671 WINTERSWEET PL
Address
PARKER, CO 80134
City, State and Zip Code

MY COMMISSION EXPIRES

My Commission Expires: JULY 12, 2008