

To the Honorable Commissioner of Patents and

06-20-2005

Patent and Trademark Commission



Final documents or copy thereof.

1. Name of conveying party(ies)

MARTIN M. LIPHARDT; BLAINE D. JOHS
JOHN A. WOOLLAM; JAMES D. WELCH

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: OCTOBER 8, 2004

103023291

of receiving party(ies)

Name: J.A. WOOLLAM CO. INC.

Internal Address:

Street Address: 645 H St.

City: LINCOLN State: NE ZIP: 68508

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

4. Application number(s) 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)

10/963,402

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: JAMES D. WELCH

Internal Address:

Street Address: 10328 PINEHURST AVE.

City: OMAHA State: NE ZIP: 68124

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:

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

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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.

JAMES D. WELCH

Name of Person Signing

Signature

Date

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

3

ASSIGNMENT

WHEREAS WE, MARTIN M. LIPHARDT, BLAINE D. JOHS, JOHN A. WOOLLAM AND JAMES D. WELCH are the Inventors of the invention titled "CONTROL OF BEAM SPOT SIZE IN ELLIPSOMETER AND THE LIKE SYSTEMS";

and

WHEREAS WE are the owners of record of a United States Patent Application of the title recited above which is being submitted to the United States Patent Office, the Serial Number of which is 10/963,402 ; (to be filled-in when available), and

WHEREAS WE might pursue Foreign Patent Applications under the Cooperation Treaty and directly in Non-Member Nations which concern the same Invention and Improvements thereto; and

WHEREAS WE are, under the terms of an Agreement or Employment Contract with the J.A. WOOLLAM CO. INC., obligated to assign any and all Patent Applications and Patents which Issue thereon, Domestic and Foreign, Present and Future for said Invention and Improvements thereto to the J.A. WOOLLAM CO. INC.; and

WHEREAS the J.A. WOOLLAM CO. INC. is desirous of accepting an Assignment of any and all interest in said Application(s) for Patent(s) and Patent(s) which Issue thereon, Domestic and Foreign, Present and Future as provided for in said Agreement or Employment Contract with the Inventors;

NOW THEREFORE, in recognition of the receipt of One Dollar (\$1.00) and other good, valuable and sufficient consideration received from J.A. WOOLLAM CO. INC., WE MARTIN M. LIPHARDT, BLAINE D. JOHS, JOHN A. WOOLLAM AND JAMES D. WELCH do:

1. Hereby Sell, Assign, Transfer and/or otherwise Set Over Without Reservation and Conditions other than those recited herein, to the J.A. WOOLLAM CO. INC., its Legal Representatives, Successors, Assigns etc. the entire interest in the Rights and Title to any Patent Applications and Patents which Issue thereon, Domestic and Foreign, Present and Future, for said Invention and Improvements; so that the J.A. WOOLLAM CO. INC. shall hereafter own all Rights and Title as fully and completely as WE would have owned said Rights and Title were the present Assignment not made, with the full understanding that the entire Rights and Title to said Invention shall immediately vest, irrevocably, in the J. A. WOOLLAM CO. INC., its Legal Representatives, Successors, Assigns etc.
2. Agree to execute all future documents as may be necessary to acquire issue of the Patent Application and additional Patents Applications for said Invention, and Improvements thereto, in the United States and in Foreign Countries.
3. Request that the Commissioner of Patents and Trademarks in the

United States and the equivalent in Foreign Countries issue United States Patent Application, Serial Number 10/963,402 , (to be filled-in when available), and such additional Patent Applications, Domestic or Foreign which result from future Patent Cooperation Treaty Patent Application, Foreign or Domestic Patent Applications to the J. A. WOOLLAM CO. INC., its Legal Representatives, Successors, Assigns etc., as the case might at the Issue Date thereof.

4. Agree that WE will, at no time, do anything to jeopardize the validity of any Patent or Patent Application, Domestic or Foreign, Present or Future other than as necessitated by the duty of Truthful Disclosure required during the normal course of Patent Application Prosecution or Litigation before an Examining or Judicial Authority.

IN AGREEMENT WITH THE FOREGOING, WE, MARTIN M. LIPHARDT AND BLAINE D. JOHS, JOHN A. WOOLLAM AND JAMES D. WELCH AS INVENTORS, HEREBY WILLINGLY AND FREELY, IN RECOGNITION OF GOOD, VALUABLE AND SUFFICIENT CONSIDERATION RECEIVED FROM THE J.A. WOOLLAM CO. INC. AND I, JOHN A. WOOLLAM, AS PRESIDENT OF THE J.A. WOOLLAM CO. INC., AFFIX OUR SIGNATURES TO EFFECT THE TERMS OF THIS ASSIGNMENT, SAID SIGNATURES EACH BEING AFFIXED IN THE PRESENCE OF A NOTARY PUBLIC.

Martin M. Liphardt 10-7-04
MARTIN M LIPHARDT
INVENTOR

Blaine D. Johs 10-8-04
BLAINE D. JOHS
INVENTOR

BRANDY J. POOLE
MY COMMISSION EXPIRES
March 17, 2008

NOTARY PUBLIC

Brandy J. Poole 10-7-04
DATE

Brandy J. Poole 10-8-04
NOTARY PUBLIC
DATE

John A. Woollam 10-7-04
JOHN A. WOOLLAM
INVENTOR AND PRESIDENT
OF THE J.A. WOOLLAM CO. INC.

James D. Welch 10-8-04
JAMES D. WELCH
INVENTOR

BRANDY J. POOLE
MY COMMISSION EXPIRES
March 17, 2008

NOTARY PUBLIC

Brandy J. Poole 10-7-04
DATE

Brandy J. Poole 10-8-04
NOTARY PUBLIC
DATE