

09-21-2005



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Docket No.: 321904.1060

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or the new address(es) below.

9-19-05

<b>1. Name of conveying part(ies):</b>  <b>Terry G. Phillips</b>  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>2. Name and address of receiving party(ies)</b>  Name: <b>Synapse, Inc.</b> Internal Address: <b>132 Export Circle</b>  Street Address: <b>132 Export Circle</b>  City: <b>Huntsville</b> State: <b>Alabama</b> Country: <b>U.S.</b> Zip: <b>35806</b>  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>3. Nature of conveyance/Execution Date(s):</b>  Execution Date(s): <b>July 15, 2005</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Joint Research Agreement <input type="checkbox"/> Government Interest Assignment <input type="checkbox"/> Executive Order 9424, Confirmatory License <input type="checkbox"/> Other:	

<b>4. Application number(s) or patent number(s):</b> <input type="checkbox"/> This document is being filed together with a new application.  A. Patent application No.(s)  <b>11/117,069</b>  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	B. Patent No.(s)
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<b>5. Name and address of party to whom correspondence concerning document should be mailed:</b>  <b>Jon E. Holland</b> <b>Thomas, Kayden, Horstemeyer &amp; Risley, L.L.P.</b> 100 Galleria Parkway, Suite 1750 Atlanta, Georgia 30339-5948  Phone Number: 256-704-3900 Fax Number: 256-704-3905 E-Mail Address: jon.holland@tkhr.com	<b>6. Total number of applications/patents involved:</b> [ 1 ]  <b>7. Total fee (37 CFR 1.21 (h) &amp; 3.41) \$ 40.00</b> <input checked="" type="checkbox"/> Authorized to be charged by credit card <input type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Enclosed <input type="checkbox"/> None required (government interest not affecting title)  <b>8. Payment Information</b> a. Credit Card Last 4 Number: 1003 Expiration Date: 8/2009  b. Deposit Account Number: Authorized User Name:
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<b>9. Signature:</b> <u>Jon E. Holland</u> Signature	<u>8/11/05</u> Date
<u>Jon E. Holland</u> Total number of pages including cover sheet, attachments, and document: Name of the Person Signing <span style="float: right; border: 1px solid black; padding: 2px;">6</span>	

Mail 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 United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450

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**ASSIGNMENT  
OF UTILITY PATENT APPLICATION**

WHEREAS, the following parties:

<u>Name</u>	<u>Address</u>
Terry G. Phillips	109 Colonial Drive, Meridianville, Alabama,35759

hereinafter referred to as ASSIGNOR, has/have invented certain new and useful improvements ("invention(s)") as described and set forth in the below-identified utility application for United States Letters Patent entitled:

**WATER HEATING SYSTEM AND METHOD FOR DETECTING A DRY FIRE  
CONDITION FOR A HEATING ELEMENT**

which was:

- executed on even date herewith,
- filed with the United States Patent and Trademark Office (USPTO) on April 28, 2005, and assigned Serial No. 11/117,069, and
- further described in U.S. Provisional application entitled filed with the USPTO on, and assigned Serial No..

WHEREAS, Synapse, Inc., having a place of business at 132 Export Circle, Huntsville, Alabama, 35806, hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNOR'S interest in and to said invention(s), said utility application, said provisional application, and any U.S. and foreign patents which are related to the same.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by ASSIGNOR, ASSIGNOR has sold, assigned and transferred and does hereby sell, assign and

transfer unto ASSIGNEE, and ASSIGNEE'S successors and assigns, (a) the entire right, title and interest, for the United States of America, in and to said invention(s), said utility application, and said provisional application and all the rights and privileges in any application and under any and all patents that may be granted in the U.S. for said inventions, including all corresponding provisional, continuation, continuation-in-part, divisional, reissue, and reexamination applications; and (b) the entire right, title and interest in and to said invention(s), said utility application, and said provisional application for all countries foreign to the U.S., including all rights of priority arising from them, and all the rights and privileges under any and all forms of protection, including patents, that may be granted in said countries foreign to the U.S. for them.

ASSIGNOR authorizes ASSIGNEE to make application for such protection in its own name and maintain such protection in any and all countries foreign to the U.S., and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from ASSIGNOR, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

ASSIGNOR hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said inventions, said utility application, or said provisional application and to claim the aforesaid benefit of the right of priority.

ASSIGNOR requests that any and all patents for said inventions be issued to ASSIGNEE in the U.S. and to ASSIGNEE in all countries foreign to the U.S., or to such nominee as ASSIGNEE may designate.

ASSIGNOR covenants and agrees that, when requested, ASSIGNOR shall, without charge to ASSIGNEE but at ASSIGNEE'S expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable, or convenient in connection with the patent applications, patents, or other forms of protection of said invention(s), and for the defense and protection thereof if challenged in the court of law.

ASSIGNOR authorizes ASSIGNEE or its agents to insert, on ASSIGNOR'S behalf, the filing date and/or serial number above pertaining to the utility application and/or the provisional application, if not known as of the date of execution of this document.

Terry G. Phillips  
Terry G. Phillips

Date: 7-15-2005

United States of America

State of

County of

On this 15 day of July, 2005, before me personally came **Terry G. Phillips** to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.

Shomo H. East  
Notary Public

My Commission Expires  
August 22, 2007

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My Commission Expires (Date)