

09-21-2005



RE

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9/19/05

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)

Lynn Hunter
James Carter
Furman O'Dell
Brian K. Krueger

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 S. Wabash Street

City: Denver

State: Colorado

Country: USA Zip: 80231

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

3. Nature of conveyance/Execution Date(s):

Execution Date(s) 04/20/2005

- Assignment Merger
- Security Agreement Change of Name
- Joint Research Agreement
- 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)
10/907,526

B. Patent No.(s)

Additional numbers attached? Yes No

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: _____

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:

Timothy J. Martin
Signature

timothy J. Martin

Name of Person Signing

9-15-05
Date

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

5

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

09/20/2005 ECOOPER 00000108 10907526

01 FC:8021

40.00 DP

PATENT
REEL: 016995 FRAME: 0131

ASSIGNMENT

WHEREAS, Lynn Hunter (hereinafter referred to as "Hunter") of 1785 Country Road 194, Parker, Colorado 80138, James Carter (hereinafter referred to as "Carter") of 1652 Oneida Street, Denver, Colorado 80218, Furman O'Dell (hereinafter referred to as "O'Dell") of 29819 Lewis Ridge Road, Evergreen, Colorado 80439, and Brian K. Krueger of 870 South Shoshone, Denver, Colorado 80223 have invented and own a certain new and useful **BIRDFEEDER AND SEED DISPENSER THEREFOR** for which application for Letters Patent of the United States was filed and is designated in the U.S. Patent Office as Application No. 10/907,526, filed April 4, 2005, said application being identified as Docket Number 2133 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 Hunter, Carter and O'Dell in hand paid, the receipt of which is hereby acknowledged, the said Hunter, Carter and O'Dell by these presents do sell, assign and transfer unto the said Perky-Pet, its successors, legal representatives and assign, their 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, 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. Hunter, Carter and O'Dell further agree 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.

Hunter, Carter and O'Dell further hereby assign and agree to assign to Perky-Pet the entire right, title and interest, domestic and foreign, which Hunter, Carter and O'Dell may have in any discoveries, improvements and inventions made, conceived or developed by Hunter, Carter and O'Dell in connection with the development of said invention and do 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.

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: 4/20/05 By: [Signature]
Lynn Hunter

Date: 4/20/05 By: [Signature]
James Carter

Date: 4/20/05 By: [Signature]
Furman O'Dell

Date: 4/20/05 By: [Signature]
Brian K. Krueger

Date: 4/20/05 By: [Signature]
Robert Donegan, President
Perky-Pet Products Company, Inc.

STATE OF COLORADO)
)
COUNTY OF ARAPAHOE) ss.

Before me, a Notary Public in and for the said County and State, personally appeared Lynn Hunter, 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 20th day of April, 2005.

(SEAL)

[Signature]
Notary Public
10621 WINTERSHIRE
Address
PARKER, CO 80134
City, State and Zip Code

MY COMMISSION EXPIRES

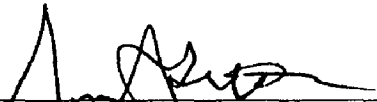
My Commission Expires: JULY 12, 2008

STATE OF COLORADO)
)
COUNTY OF ARAPAHOE)

ss.

Before me, a Notary Public in and for the said County and State, personally appeared James Carter, 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 20th day of April, 2005.

(SEAL)



Notary Public
10671 WINTERBURN PL
Address
PARKER, CO 80134
City, State and Zip Code

MY COMMISSION EXPIRES

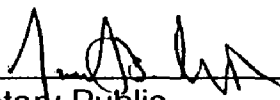
My Commission Expires: JULY 12, 2008

STATE OF COLORADO)
)
COUNTY OF ARAPAHOE)

ss.

Before me, a Notary Public in and for the said County and State, personally appeared Furman O'Dell, 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 20th day of April, 2005.

(SEAL)



Notary Public
10671 WINTERBURN PL
Address
PARKER, CO 80134
City, State and Zip Code

MY COMMISSION EXPIRES


My Commission Expires: JULY 12, 2008

STATE OF COLORADO)
)
COUNTY OF ARAPAHOE)

ss.

Before me, a Notary Public in and for the said County and State, personally appeared Brian K. Krueger, 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 20th day of April, 2005.

(SEAL)



Notary Public
10674 WINTERSWAMP PL
Address
PARKER, CO 80134
City, State and Zip Code


My Commission Expires: ~~MY COMMISSION EXPIRES~~
JULY 12, 2008

STATE OF COLORADO)
)
COUNTY OF ARAPAHOE)

ss.

Before me, a Notary Public in and for the said County and State, personally appeared Robert 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 20th day of April, 2005.

(SEAL)



Notary Public
10671 WINTERSWAMP PLACE
Address
PARKER, CO 80134
City, State and Zip Code

My Commission Expires: ~~MY COMMISSION EXPIRES~~
JULY 12, 2008