

10-06-2005



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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)

Burkhardt, Roger
Allen, Anne
McSweeney, Robert
Pastina, Louis G.

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

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

Execution Date(s) 9/27/05; 9/23/05; 9/26/05; 9/23/05

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

2. Name and address of receiving party(ies)

Name: New York Stock Exchange

Internal Address: _____

Street Address: 11 Wall Street

City: New York

State: NY

Country: USA

Zip: 10005

Additional name(s) & 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)

11/183,259

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No

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

Name: Chris L. Holm

Internal Address: Milbank, Tweed, Hadley & McCloy LLP

Street Address: 1 Chase Manhattan Plaza

City: New York

State: NY

Zip: 10005

Phone Number: 212-540-5734

Fax Number: 212-822-5734

Email Address: cholm@milbank.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$40

- ☐ 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 _____
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9. Signature:

Signature

Date

Chris L. Holm, Esq.

Name of Person Signing

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

5

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

10/05/2005 ECOOPER 00000128 11103259

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PATENT
REEL: 017047 FRAME: 0871

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

Burkhardt, Roger, 220 Taxter Road, Irvington, New York 10533;
Allen, Anne E., 205 Watchung Ave., Cranford, N.J. 07105;
McSweeney, Robert J., 157 Loines Avenue, Merrick, NY 11566; and
Pastina, Louis G., 171 Beach 130th Street, Belle Harbor, NY 11694

(full name(s) and post office address(s) of inventor(s) (including country))

(hereinafter referred to as ASSIGNOR(S)), has made a discovery or invention entitled:

**SYSTEM AND METHOD FOR SETTING AND USING A MOMENTUM LIQUIDITY REPLENISHMENT
PRICE IN A HYBRID AUCTION MARKET**

(title of discovery or invention)

☐ for which application for Letters Patent of the United States has been executed on even date herewith,

☒ for which application for Letters Patent of the United States has been filed on July 15, 2005, under Serial No. 11/183,259, and

WHEREAS:

New York Stock Exchange, 11 Wall Street, New York, NY 10005

(name and address of assignee)

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefore in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

I, SAID ASSIGNOR(S), hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behalf of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

I, SAID, ASSIGNOR(S), hereby covenant that I have full right to convey the entire right, title and interest herein sold, assigned, transferred and set over;

AND I, SAID ASSIGNOR(S) hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that I will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discovery or invention, and execute and deliver and all lawful papers that may be necessary or desirable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent in the ASSIGNEE, its successors, legal representatives

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and assigns, and that it reissues of the said Letters Patent or disclaimers relating thereto, or divisions, continuations, or re-filings of the said applications, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts requisite for the application for such reissues and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discover in all countries, and without further compensation but at the expense of the ASSIGNEE, its successors, legal representatives and assigns.

Assignor's signature: _____

Roger BURKHARDT

Citizenship: United Kingdom

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 27 day of September 2005

STATE OF)

ss.:

COUNTY OF)

On this 27 day of September, 2005 before me, the undersigned authority, personally appeared to me Roger Burkhardt known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

Notary Public

NANCY J. GINSBERG
NOTARY PUBLIC, State of New York
No. 01G16048899
Qualified in Richmond County
Commission Expires October 02, 2006

Assignor's signature: x _____

Anne E. ALLEN

Citizenship: United States

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 23rd day of September 2005

STATE OF NY)

ss.:

COUNTY OF NY)

On this 23 day of September, 2005 before me, the undersigned authority, personally appeared Anne E. Allen to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

Notary Public

Pier Tiedel
Notary Public, State of New York
No. 01716115336
Qualified in Queens County
Commission Expires September 7, 2008

Assignor's signature: _____

Robert J. McSWEENEY

Citizenship: United StatesIN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 26th day of September 2005STATE OF NY)

ss.:

COUNTY OF NY)

On this 26th day of September, 2005, before me, the undersigned authority, personally appeared Robert J. McSweeney to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

Notary Public

NANCY J. GINSBERG
 NOTARY PUBLIC, State of New York
 No. 01G16048899
 Qualified in Richmond County
 Commission Expires October 02, 2006

Assignor's signature: _____

Louis G. PASTINA

Citizenship: United StatesIN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 23 day of September 2005STATE OF NY)

ss.:

COUNTY OF NY)

On this 23 day of September, 2005 before me, the undersigned authority, personally appeared Louis G. Pastina to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

Notary Public

Pier Usdel
 Notary Public, State of New York
 No. 01T16113336
 Qualified in Queens County
 Commission Expires September 7, 2008