

ASSIGNMENT RECORDATION FORM COVER SHEET *Patents Only*

To: Commissioner for Patents:

Date: December 19, 2005
Attorney Docket No. 5175-179

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

[1.] Stephen P. Wolfe
[2.] Dipak Mahato
[3.] Phillip L. Rybarczyk, Jr.Additional name(s) of conveying party(ies) attached? Yes ☒ No

2. Name and address of receiving party(ies):

Embrex, Inc.
1040 Swabia Court
Durham, North Carolina 27703Additional name(s) & address(es) attached? Yes ☒ No

3. Nature of conveyance:

☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other _____Execution Date: [1.] October 26, 2005 [2.] November 1, 2005
[3.] October 25, 20054. Application Serial No. 11/254,938; filed October 20, 2005

If this document is being filed together with a new application, the execution date of the application is: _____

Additional numbers attached? Yes ☐ No ☒

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

Needham James Boddie, II
Myers Bigel Sibley & Sajovec
P. O. Box 37428
Raleigh NC 276276. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$40.00
☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number: 50-0220

DO NOT USE THIS SPACE

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.*Needham James Boddie II, Reg. No. 40,519

Name of Person Signing

Signature

December 19, 2005

Date

Total number of pages including cover sheet, attachments and document: 5**CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8**I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office via facsimile number **571-273-0140** on December 19, 2005.

Erin A. Campion

CH \$40.00 600220 11254938

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ASSIGNMENT

THIS ASSIGNMENT, made by us, **Stephen P. Wolfe**, a citizen of the United States of America, residing at 608 Aberdeen Drive, Chapel Hill, North Carolina 27516; **Dipak Mahato**, citizen of the United States of America, residing at 4200 Glen Erin Way, Raleigh, North Carolina 27613; and **Phillip L. Rybarczyk, Jr.**, a citizen of the United States of America, residing at 200 Durant Street, Apt.302, Chapel Hill, North Carolina 27517;

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in **METHODS AND APPARATUS FOR ACCURATELY POSITIONING A DEVICE WITHIN THE SUBGERMINAL CAVITY OF AVIAN EGGS**, for which an application for United States Letters Patent has been filed, or is being filed concurrently, in the United States Patent and Trademark Office; We hereby authorize and request Myers Bigel Sibley & Sajovec, P.A., to insert here in parentheses (Application No. **11/254,938**, filed **October 20, 2005**) the filing date and application number of said application when known or to file this Assignment concurrently with said application; and

WHEREAS, **Embrex, Inc.**, a North Carolina corporation, having a principal place of business at 1040 Swabia Court, Durham, North Carolina 27703, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as

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fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to promptly communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives; and we hereby instruct, and further covenant and agree to bind our heirs, legal representatives, and assigns, to do same, without further compensation, but at the expense of said assignee or its representatives.


Stephen P. Wolfe10/26/05
Date

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Dipak Mahato

11/1/05
Date

Attorney Docket No. 5175-179

Phillip L. Rybarczyk, Jr.
Phillip L. Rybarczyk, Jr.

10/25/05
Date