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OMB No. 0651-0027 (exp. 6/30/2008)U.S. DEPARTMENT OF COMMERCE  
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## PATENTS ONLY

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)

John W. McGivern

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

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

Execution Date(s) April 25, 2003

- ☒ 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: Enbridge Technology Inc.

Internal Address: \_\_\_\_\_

Street Address: 3000, 425-1st Street SW

City: Calgary

State: Alberta

Country: Canada Zip: T2P 3L8

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)

B. Patent No.(s)

09/25/2006 CHBUYER2 00000077 11524502

04 FD:8021

(40.00)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Etienne de Villiers

Internal Address: \_\_\_\_\_

Street Address: 20 Queen St. W, Suite 3202

City: Toronto

State: Ontario Zip: M5H 3R3

Phone Number: 416-971-7202

Fax Number: 416-971-6638

Email Address: edevilliers@dimock.com

## 6. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR 1.21(h) &amp; 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 \_\_\_\_\_

Authorized User Name \_\_\_\_\_

## 9. Signature:

Signature

September 21, 2006

Date

Etienne de Villiers

Name of Person Signing

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

2

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. 22313-1450PATENT  
REEL: 018340 FRAME: 0343

## ASSIGNMENT

Whereas **John W. McGivery**, whose full post office address is 3 Rosita Crescent, Scarborough, Ontario, Canada M1L 1X7 (the "Assignor"), has invented certain new and useful improvements in a

### EXCAVATION SYSTEM AND METHOD

("the Invention") as fully set forth and described in an application for patent filed in Canada on December 13, 2002; and in a United States patent application executed on the date of execution of this assignment;

And whereas **ENBRIDGE TECHNOLOGY INC.**, a corporation of Canada having its head office or principal place of business at 3000, 425-1st Street SW, Calgary, Alberta, Canada T2P 3L8 (the "Assignee"), has acquired from the Assignor all right, title and interest in and to the Invention for all countries throughout the world, including the right to obtain and hold patents therefor;

Therefore, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Assignor hereby assigns and transfers to the Assignee, and confirms that he has assigned and transferred to the Assignee, all right, title and interest in and to the Invention and in and to any patent for the Invention, and any patent application for the Invention, including any divisional or continuation application, whether presently pending or filed in the future, for all countries throughout the world.

The Assignor hereby agrees to execute without further consideration such further documentation as may be required to obtain any patent for the Invention and to vest rights in any patent or patent application for the Invention in the Assignee.

WITNESSED at TORONTO CANADA, on APR. 25 - 2003.  
(City/Town, Country) (Date)

Witness:

**John W. McGivery**

x J. Marshall  
(signature of witness)

John W. McGivery  
(signature of inventor)

### DECLARATION OF SUBSCRIBING WITNESS

I, JOHN MARSHALL of TORONTO CANADA  
(City/Town, Country)

declare that I was personally present and did see **John W. McGivery** who is personally known to me to be the person named in the attached Assignment duly sign and execute the same.

J. Marshall  
(signature of witness)

1476-7/MBE