

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT						
NATURE OF CONVEYANCE:	ASSIGNMENT						
CONVEYING PARTY DATA							
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Mark S. Izen</td><td>12/19/2006</td></tr><tr><td>Gerry Helfrich</td><td>12/19/2006</td></tr></tbody></table>		Name	Execution Date	Mark S. Izen	12/19/2006	Gerry Helfrich	12/19/2006
Name	Execution Date						
Mark S. Izen	12/19/2006						
Gerry Helfrich	12/19/2006						
RECEIVING PARTY DATA							
Name:	First Act Inc.						
Street Address:	745 Boylston Street						
City:	Boston						
State/Country:	MASSACHUSETTS						
Postal Code:	02216						
PROPERTY NUMBERS Total: 1							
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>29267637</td></tr></tbody></table>		Property Type	Number	Application Number:	29267637		
Property Type	Number						
Application Number:	29267637						
CORRESPONDENCE DATA							
Fax Number: (617)542-2241 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>							
Phone: 617-542-6000							
Email: regomez@mintz.com							
Correspondent Name: Raquel E. Gomez							
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Address Line 4: Boston, MASSACHUSETTS 02111							
ATTORNEY DOCKET NUMBER:	35458-014DES						
NAME OF SUBMITTER:	Raquel E. Gomez						
Total Attachments: 3 source=Assignment35458-014DES#page1.tif source=Assignment35458-014DES#page2.tif							

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PATENT  
REEL: 018665 FRAME: 0728



## ASSIGNMENT

We, Mark S. Izen and Gerry Helfrich, the undersigned, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby assign, sell and transfer to First Act Inc., a Massachusetts corporation, with corporate headquarters at: 745 Boylston Street, Boston, MA 02216, and its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE: (1) my entire right, title and interest for the United States and in all countries, in and to any and all inventions, discoveries and applications which are disclosed in the application for United States Letters Patent entitled:

### DRUM PEDAL

filed October 18, 2006 with the U.S. Patent and Trademark Office and assigned Serial No. 29/267,637, including any renewals, revivals, reissues, reexaminations, extensions, continuations, continuations-in-part and divisions thereof and any substitute applications therefor; (2) the full and complete right to file patent applications in the name of the ASSIGNEE, its designee, or in my/our names at the ASSIGNEE's, or its designee's, election on the aforesaid inventions, discoveries and applications in all countries of the world; (3) the entire right, title and interest in and to any Letters Patent which may issue thereon in the United States or in any country, and any renewals, revivals, reissues, reexaminations and extensions thereof, and any patents of confirmation, registration and importation of the same; and (4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation all rights of priority in any country of the world, in and to the above inventions, discoveries and applications.

I hereby authorize and request the competent authorities to grant and to issue any and all such Letters Patent in the United States and throughout the world to the ASSIGNEE of the entire right, title and interest therein, as fully and entirely as the same would have been held and enjoyed by me/us had this assignment, sale and transfer not been made.

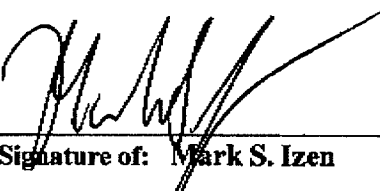
I agree, at any time, upon the request of the ASSIGNEE, to execute and to deliver to the ASSIGNEE any additional applications for patents for said inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any Letters Patent issuing on said inventions, discoveries, or applications and divisions, continuations, renewals, revivals, reissues, reexaminations and extensions thereof.

I further agree at any time to execute and to deliver upon request of the ASSIGNEE such additional documents, if any, as are necessary or desirable to secure patent protection on said inventions, discoveries and applications throughout all countries of the world, and otherwise to do the necessary to give full effect to and to perfect the rights of the ASSIGNEE under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale as may be necessary or desirable.

I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

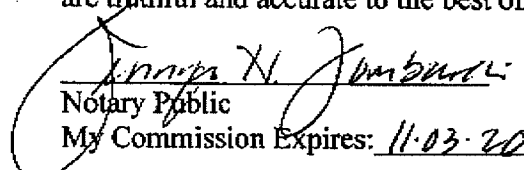
I further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

Date: 12.19.2006

  
Signature of: Mark S. Izen

State of Mass.  
County of Suffolk

On this 19<sup>th</sup> day of December, 2006, before me, the undersigned notary public, personally appeared Mark Izen (name of document signer), proved to me through satisfactory evidence of identification which were personally known to me to be the person whose name is signed on this document and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

  
Notary Public  
My Commission Expires: 11.03.2011



-OR-

\_\_\_\_\_  
Witness #1 (Print Name)

\_\_\_\_\_  
Witness #1 (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness #2 (Print Name)

\_\_\_\_\_  
Witness #2 (Signature)

\_\_\_\_\_  
Date

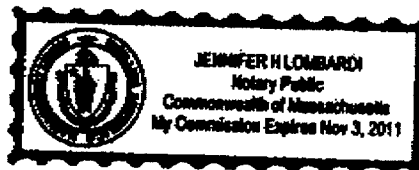
Date: 12-19-2006

Gerry Helfrich  
Signature of: Gerry Helfrich

State of MASSACHUSETTS  
County of SUFFOLK

On this 19<sup>th</sup> day of November, 2006, before me, the undersigned notary public, personally appeared Gerry Helfrich (name of document signer), proved to me through satisfactory evidence of identification which were personally known to me, to be the person whose name is signed on this document and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

Jennifer H. Lombardi  
Notary Public  
My Commission Expires: 11-03-2011



-OR-

\_\_\_\_\_  
Witness #1 (Print Name)

\_\_\_\_\_  
Witness #1 (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness #2 (Print Name)

\_\_\_\_\_  
Witness #2 (Signature)

\_\_\_\_\_  
Date

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