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1. Name of conveying party(ies)

PhysioMetrics, Inc.

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

2. Name and address of receiving party(ies)

Name: Functional Reality, LLC

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

Street Address: 100-A3 Springdale Road

PMB 252

City: Cherry Hill

State: New Jersey

Country: USA

Zip: 08003

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

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

Execution Date(s) April 2, 2007

- 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)

B. Patent No.(s)

6,056,671

05/30/2007 D BYRNE 00000272 6056671

01 FC:8021

40.00 DP

Additional numbers attached?  Yes  No

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

Name: Keith Mamer

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

Street Address: 100-A3 Springdale Road

PMB 252

City: Cherry Hill

State: New Jersey

Zip: 08003

Phone Number: (856) 906-3613

Fax Number: \_\_\_\_\_

Email Address: kmamer@comcast.net

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

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 \_\_\_\_\_

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

9. Signature:

Signature

April 2, 2007

Date

Richard A. Jacoby

Name of Person Signing

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

7

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

**ASSIGNMENT OF APPLICATION**

Whereas, I, Richard A. Jacoby, Authorized Director of Physiometrics, hereafter referred to as applicant, have invented certain new and useful improvements in "Functional Capacity Assessment System and Method" for which an application for a United States Patent was executed on May 2, 2000 (Patent # 6,056,671).

Whereas, Keith S. Marmer and Steven J. Lever of Functional Reality hereafter referred to as "assignee" whose mailing address is 100-A3 Springdale Road, PMB 252, Cherry Hill, NJ 08003 is desirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of One-Hundred Fifty-Thousand dollars (\$ 150,000.00), payment whereof is acknowledged in a separate agreement between the parties and attached hereto, and other good and valuable consideration, I, the applicant, by these presents do sell, assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire rights, title and interest in and to any and all Patents which may be granted therefore in the United States. I hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for their sole use and behoof; and for the use and behoof of their legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 24<sup>th</sup> day of May, 2007.

at Wayne, PA

[Signature]  
Signature

State of Pennsylvania SS:

RICHARD A. JACOBY  
Printed Name/Registration No., if applicable

County of Delaware

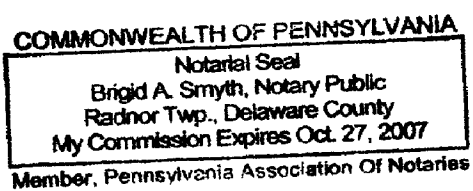
Before me personally appeared said Richard A Jacoby

and acknowledged the foregoing instrument to be his free act and deed this 8<sup>th</sup>

day of May, 20 07.

Brigid A Smyth

Seal



TO:KEITH MARMER COMPANY:100-A3 SPRINDALE ROAD

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 22, 2007

PTAS

**\*700324856A\*****\*700324856A\***KEITH MARMER  
100-A3 SPRINDALE ROAD  
PMB 252  
CHERRY HILL, NJ 08003UNITED STATES PATENT AND TRADEMARK OFFICE  
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