

Form PTO-1595 (Rev. 07/05)  
OMB No. 0651-0027 (exp. 6/30/2008)

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### RECORDATION FORM COVER SHEET 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)**  
Bernard C. Kress

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

**2. Name and address of receiving party(ies)**  
Name: APPLIED OPTO TECHNOLOGIES, INC.  
Internal Address: \_\_\_\_\_

**3. Nature of conveyance/Execution Date(s):**  
Execution Date(s) 11/19/2006

Assignment  Merger  
 Security Agreement  Change of Name  
 Joint Research Agreement  
 Government Interest Assignment  
 Executive Order 9424, Confirmatory License  
 Other \_\_\_\_\_

Street Address: 48501 Wam Springs Blvd., Suite 104  
 \_\_\_\_\_  
 City: Fremont  
 State: California  
 Country: USA Zip: 94539

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)  
11/581,810

Additional numbers attached?  Yes  No

B. Patent No.(s)

**5. Name and address to whom correspondence concerning document should be mailed:**  
 Name: Wilson & Ham  
 Internal Address: PMB: 348  
 \_\_\_\_\_  
 Street Address: 2530 Berryessa Road  
 \_\_\_\_\_  
 City: San Jose  
 State: California Zip: 95132  
 Phone Number: (925) 249-1300  
 Fax Number: (925) 249-0111  
 Email Address: tom@techpatents.com

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

**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 \_\_\_\_\_

b. Deposit Account Number 503444  
 Authorized User Name Thomas H. Ham

**9. Signature:** Thomas H. Ham June 8, 2007  
 Signature Date

Thomas H. Ham  
 Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: 3

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

CH \$40.00 503444 11581810

Attorney Docket No. AOT-001

**ASSIGNMENT OF PATENT APPLICATION**

FOR GOOD AND VALUABLE CONSIDERATION,

I, the undersigned hereby agrees to assign for good and valuable consideration, receipt of which is hereby expressly acknowledged, and do hereby sell, assign and transfer unto

**APPLIED OPTO TECHNOLOGIES, INC.**

a corporation organized under the laws of the state of California as Assignee, and its successors, assigns and legal representatives, the entire right, title and interest, for all countries in and to certain inventions relating to

**OPTICAL ENCODER WITH ENCODER MEMBER HAVING ONE OR MORE DIGITAL DIFFRACTIVE OPTIC REGIONS**

described in an application for Letters Patent of the United States, identified as Attorney Docket No. AOT-001, at Wilson & Ham, PMB: 348, 2530 Berryessa Road, San Jose, California 95132 and filed on October 16, 2006, as Application Serial No. 11/581,810, and the invention(s) and improvement(s) set forth therein, and any and all continuations, continuations-in-part, divisionals, and renewals of and substitutes for said application for said Letters Patent, and all the rights and privileges under any and all Letters Patent that may be granted therefor in any country, and any reissues, or reexaminations, or extensions of said Letters Patent. I request that any and all Letters Patent for said inventions be issued to said Assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

I agree that, when requested, I will, without charge to said Assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said Assignee, its successors, assigns and legal representatives or nominees.

I authorize and empower the said Assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said Assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International convention which may henceforth be substituted for it.

I hereby authorize Thomas H. Ham, attorney for Assignee, to insert the filing date and Serial number into the first paragraph of this assignment, after the application for Letters Patent has been filed, and the U.S. Patent Office has assigned such application a Serial Number.

I covenant with said Assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that I have full right to convey the same as herein expressed.

IN WITNESS WHEREOF, I have hereunto signed my name on the day and year set forth below.

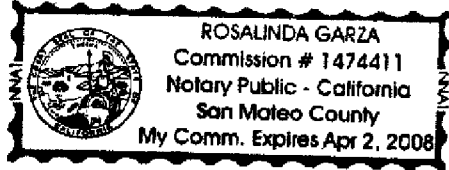
[Signature] \_\_\_\_\_ 11/19/06  
Inventor's Signature DATE

Bernard C. Kress  
Inventor's Printed Name

STATE OF California )  
COUNTY OF Santa Clara ) SS

On this 15th day of December, 2006, before me personally came the above named Bernard Charles Kress who is personally known by me or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/~~she~~ executed the same of his/~~her~~ own free will for the use and purposes therein set forth.

Bernard Charles Kress  
NOTARY PUBLIC [Signature]  
My Commission Expires: April 2, 2008



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

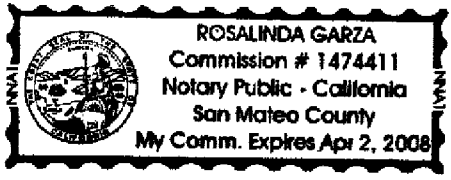
County of Santa Clara

On December 15, 2006 before me, Rosalinda Garza (Notary Public)

personally appeared Bernard Charles Kress

- personally known to me
- (or proved to me on the basis of satisfactory evidence)

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he~~/they executed the same in ~~his~~/her/their authorized capacity(ies), and that by ~~his~~/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

*Rosalinda Garza*  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**  
Title or Type of Document: Assignment of Patent Application

Document Date: 11-19-06 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

- Signer's Name: \_\_\_\_\_
- Individual
  - Corporate Officer — Title(s): \_\_\_\_\_
  - Partner —  Limited  General
  - Attorney in Fact
  - Trustee
  - Guardian or Conservator
  - Other: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

- Signer's Name: \_\_\_\_\_
- Individual
  - Corporate Officer — Title(s): \_\_\_\_\_
  - Partner —  Limited  General
  - Attorney in Fact
  - Trustee
  - Guardian or Conservator
  - Other: \_\_\_\_\_

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