



09-05-2007



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U.S. Department of Commerce  
Patent and Trademark Office  
Atty. Docket No. 08350.6278-00000

Mail Stop Assignment Recordation Services

To the Director of the U.S. Patent and Trademark Office and Please record the attached original documents or copy

8.29.07

1. Name of conveying party:  
1. Steven J. FUNKE  
2. James H. MUTTI

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

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

Internal Address: Intellectual Property Department

3. Nature of conveyance:

Street Address: 100 N.E. Adams Street

Assignment

Merger

City: Peoria

Security Agreement

Change of Name

State: IL Zip Code: 61629-6490

Joint Research Agreement

Government Interest Assignment

Additional name(s) & Address(es) attached?

Executive Order 9494, Confirmatory License

Other:

Yes  No

Execution Date: 1. August 7, 2007  
2. August 10, 2007

Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application:

A. Patent Application Number(s):  
11/806,479

B. Patent Number(s):

Additional numbers attached?  Yes  No

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

5. Total number of applications and patents involved:  
1

Name: Denise L. Poy

6. Total fee (37 CFR 1.21(h) and 3.41): \$40

Internal Address: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Enclosed (Please charge deficiency or credit overpayment to deposit account 06-0916)

Street Address: 901 New York Avenue, N.W.

Authorized to be charged to deposit account

City: Washington

State: DC Zip: 20001-4413

7. Deposit Account No.: 06-0916

8. 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.

Signed: Denise L. Poy  
Denise L. Poy, Reg. No. 53,480

August 29, 2007

Date

Total number of pages including cover sheet, attachments and documents: 5

**ASSIGNMENT**

WHEREAS We, the below named inventors [hereinafter referred to as Assignors], have made an invention entitled:

**TURBOCHARGER CONTROL SYSTEM**

for which We executed an application for United States Letters Patent concurrently herewith or filed an application for United States Letters Patent on May 31, 2007 (Application No. 11/806,479); and

WHEREAS, Caterpillar Inc., a corporation of Delaware, whose post office address is Intellectual Property Department, 100 N.E. Adams Street, Peoria, IL 61629-6490 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from Assignee is hereby acknowledged, We, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention, provisional application Serial No. \_\_\_, filed \_\_\_ (if any), and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above provisional application (if any), as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, WE HEREBY covenant that We have the full right to convey the interest assigned by this Assignment, and We have not executed and will not execute any agreement in conflict with this Assignment;

AND, WE HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, We have hereunto set our hands.

1. FULL NAME OF SOLE OR FIRST ASSIGNOR Steven J. Funke	ASSIGNOR'S SIGNATURE <i>Steven J. Funke</i>	DATE 8/7/07
ADDRESS 7514 Thornridge Drive, Mapleton, IL 61547		CITIZENSHIP U.S.A.

1. WITNESS NAME David A. Pierpont	WITNESS SIGNATURE <i>David A. Pierpont</i>	DATE 8-7-07
ADDRESS 11907 N. Windcrest Ct Dunlap IL 61525		CITIZENSHIP USA

2. WITNESS NAME David J Kapparas	WITNESS SIGNATURE <i>David J Kapparas</i>	DATE 8-7-07
ADDRESS 213 N Louise St Chillicothe, IL 61523		CITIZENSHIP USA

2. FULL NAME OF SECOND ASSIGNOR, IF ANY James H. Mutti	ASSIGNOR'S SIGNATURE	DATE
ADDRESS 311 Circuit Court, East Peoria, IL 61611		CITIZENSHIP U.S.A.

1. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

2. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

**ASSIGNMENT**

WHEREAS We, the below named inventors [hereinafter referred to as Assignors], have made an invention entitled:

**TURBOCHARGER CONTROL SYSTEM**

for which We executed an application for United States Letters Patent concurrently herewith or filed an application for United States Letters Patent on May 31, 2007 (Application No. 11/806,479); and

WHEREAS, Caterpillar Inc., a corporation of Delaware, whose post office address is Intellectual Property Department, 100 N.E. Adams Street, Peoria, IL 61629-6490 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from Assignee is hereby acknowledged, We, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention, provisional application Serial No. \_\_, filed \_\_ (if any), and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above provisional application (if any), as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, WE HEREBY covenant that We have the full right to convey the interest assigned by this Assignment, and We have not executed and will not execute any agreement in conflict with this Assignment;

AND, WE HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, We have hereunto set our hands.

1. FULL NAME OF SOLE OR FIRST ASSIGNOR Steven J. Funke	ASSIGNOR'S SIGNATURE	DATE
ADDRESS 7514 Thornridge Drive, Mapleton, IL 61547		CITIZENSHIP U.S.A.

1. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS	CITIZENSHIP	

2. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS	CITIZENSHIP	

2. FULL NAME OF SECOND ASSIGNOR, IF ANY James H. Mutti	ASSIGNOR'S SIGNATURE <i>James H. Mutti</i>	DATE 8/10/2007
ADDRESS 311 Circuit Court, East Peoria, IL 61611	CITIZENSHIP U.S.A.	

1. WITNESS NAME <i>John Gadbois</i>	WITNESS SIGNATURE <i>John Gadbois</i>	DATE 8/10/2007
ADDRESS <i>12102 Tall Trees Dr. Peoria, IL 61625</i>	CITIZENSHIP USA	

2. WITNESS NAME <i>Edward T. King</i>	WITNESS SIGNATURE <i>Edward T. King</i>	DATE 8/10/2007
ADDRESS <i>5508 N Deerfield Ct Peoria IL 61615</i>	CITIZENSHIP USA	