

09-14-2007

FORM PTO-1595
1-31-92U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

103445121

To the Director of the U.S. P.

original documents or copy thereof.

1. Name of conveying party(ies):

The Independent Personal (Legal) Representative of
Kevin Robert Smith (decedent)Additional name(s) of conveying party(ies) attached? ☒ yes ☐ no

Re 9-13-07

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

Name: Tracy Lynn (née Coffman) Smith

Internal Address: _____

Street Address: P.O. Box 344City Mountain Grove State Missouri ZIP 65711Additional name(s) & Address(es) attached? ☒ Yes ☐ No

3. Nature of Conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Declaration: Intestate Transfer of InterestExecution Date: July 16, 2007

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

11/438,672

B. Patent No.(s)

7,066,096 (B1)Additional numbers attached? ☐ Yes ☒ No

5. Name and Address of party to whom correspondence concerning document should be mailed:

Name: JONATHAN A. BAY

Internal Address: _____

Street Address: ATTORNEY AT LAW333 Park Central E., Ste. 314City Springfield State Missouri (MO) ZIP 658066. Total number of applications and patents involved: 27. Total fee (37 CFR 3.41): \$ 80.00☒ Enclosed☐ Authorized to be charged to deposit account8. Deposit account number: n/a

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. 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.

Jonathan A. Bay

Name of Person Signing

Jonathan Bay

Signature

8-21-07

Date

Total number of pages comprising cover sheet: 2

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

07/31/2007 MJANA1 00000010 11438672

Mail documents to be recorded with required cover sheet information to: 01 FC:8021

00.00 OP

MS Assignment Recordation Services

Director of U.S. Pat. & Tm. Ofc.

P.O. Box 1450

Alexandria, VA 22313-1450

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

PATENT

REEL: 019834 FRAME: 0842

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attn: Assignment Services Branch
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF INVENTOR'S DEATH AND
VERIFIED STATEMENT (DECLARATION) ON
INTESTATE TRANSFER OF DECEDENT'S INTEREST**

Sir:

I, Tracy Lynn (née Coffman) Smith, a U.S. citizen, residing in Mountain Grove, Missouri, and have a mailing address of P.O. Box 344, Mountain Grove, Missouri (MO) 65711, declare that:

I. Pre-Amble.

1. That attached to this Verified Statement (Declaration) is a true Certification of Death from the State of Missouri for "Kevin Robert Smith." It bears (Missouri) State File No. 124-16-014105, filed June 7 of 2006, copies available from the (Missouri) State Registrar of Vital Statistics, Bureau of Vital Records, Jefferson City, Missouri.
2. That I am said Kevin Robert Smith's surviving spouse, as correctly reported on the attached Certification of Death.
3. That said Kevin Robert Smith died on or about May 8, 2006, as reported on the attached Certification of Death.
4. That said Kevin Robert Smith is the same Kevin R. Smith named as joint inventor on not only a U.S. patent but also a continuation application continuing therefrom, namely:
 - (a) The U.S. Patent
U.S. Patent No.: 7,066,096 (B1);
Issued: June 27, 2006
(on Application No. 10/410,652, filed April 8, 2003);
Entitled: TOW VEHICLE-DRAWN WASH SYSTEM
AND GAME BUTCHERING STATION; and
Inventors Kevin K. Harker & Kevin R. Smith, both of Mountain Grove, Missouri.

(b) The U.S. Patent Application

U.S. Patent Application No.: 11/438,672;

Filed: May 22, 2006

(ie., a continuation of Appl'n No. 10/410,652,

filed April 8, 2003, now Pat. No. 7,066,096);

Entitled: TOW VEHICLE-DRAWN WASH SYSTEM

AND GAME BUTCHERING STATION; and

Inventors Kevin K. Harker & Kevin R. Smith, both of Mountain Grove, Missouri.

4. That said Kevin Robert Smith and his co-inventor Kevin K. Harker executed a cross-assignment on August 25 of 2003 in connection with their respective partial-interests in and to the application maturing into the above-identified U.S. Patent No. 7,066,096, in which they represented and agreed as follows, to quote:

...that each of said CROSS ASSIGNORS [ie., Kevin K. Harker and Kevin R. Smith] has, holds and enjoys, and by these presents does hereby have, hold and enjoy, an undivided one half of the entire right, title and interest in and to said inventions or improvements, said application [ie., the above identified U.S. App. No. 10/410,652, filed April 8, 2003, now U.S. Pat. No. 7,066,096] and said patents and any and all continuations [ie., and therefore the agreement now encompasses the above identified U.S. continuation App. No. 11/438,672, filed May 22, 2006], divisions, renewals and/or substitutes for said patents, and in, to and under any and all Letters Patent [ie., the above identified U.S. Pat. No. 7,066,096] which may be granted on or as a result thereof in the United States and its possessions and territories and in all other countries, and any reissue or reissues or extension or extensions of said Letters Patent, the same to be held and enjoyed to the full end of the term or terms for which said Letters Patent respectively have been or may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by had this assignment not been made;...

5. That said cross-assignment agreement was recorded with the U.S. Patent & Trademark Office ("Office") as reference to the Office records will show, at Reel 014442, Frame 0225, with a recordation date September 2, 2003.

II.

6. That said Kevin Robert Smith died intestate (ie., without a will).

7. That said Kevin Robert Smith estate was never administrated in a Probate court.

8. That, upon information and belief, no such administration of said Kevin Robert Smith's estate is now pending nor is there any known contemplation of opening one.

9. That said Kevin Robert Smith was a Missouri resident at the time of his death, and died within the borders of State of Missouri.

10. That, upon advice of counsel, said Kevin Robert Smith's partial interests in the above-identified U.S. Patent No. 7,066,096 and the above-identified U.S. Patent Application No. 11/438,672 have wholly descended and are effectively wholly distributed according to the laws of the State of Missouri.

11. That, upon advice of counsel, the applicable statute of the laws of the State of Missouri which govern the descent and distribution of said Kevin Robert Smith's partial interests in the above-identified U.S. Patent No. 7,066,096 and the above-identified U.S. Patent Application No. 11/438,672 is the Missouri Probate Code's Section 474.010 (Missouri Revised Statutes), entitled "General rules of descent."

12. That a true and correct copy of Section 474.010 (Missouri Revised Statutes) is attached hereto, and readily available online from the URL address printed thereon.

13. That, upon advice of counsel, at said Kevin Robert Smith's death, the entire and complete class of qualified descendants pursuant to Section 474.010 (Missouri Revised Statutes) consists of the below-named persons:

a. myself, Tracy Lynn (*née* Coffman) Smith, first joint heir as surviving spouse;

b. Taylor Brent Smith as more particularly identified next, my natural son (and my only issue), adopted by said Kevin Robert Smith during our marriage and during said Kevin Robert Smith's lifetime, namely:

Full name of second joint heir: Taylor Brent Smith

Relationship adopted son of Decedent, my natural son

Year (or date) of birth September 22, 1990

Residence Mountain Grove, Missouri

Citizenship United States

Post Office Address P.O. Box 344

Mountain Grove, Missouri (MO) 65711

c. Curtis Farrington Smith as more particularly identified next, natural son of said Kevin Robert Smith, but not of my issue, namely:

Full name of third joint heir: Curtis Farrington Smith

Relationship natural son of Decedent

Year (or date) of birth April 7, 1987

Residence Inverness, Florida

Citizenship United States

Post Office Address 6216 E. Quincy Street

Inverness, Florida (FL) 34452

d. Lacy Denise Smith as more particularly identified next, natural daughter of said Kevin Robert Smith, but not of my issue, namely:

Full name of fourth joint heir: Lacy Denise Smith

Relationship natural daughter of Decedent

Year (or date) of birth July 28, 1984

Residence Inverness, Florida

Citizenship United States

Post Office Address 6216 E. Quincy Street

Inverness, Florida (FL) 34452

e. Casey Robert Smith as more particularly identified next, natural son of said Kevin Robert Smith, but not of my issue, namely:

Full name of fifth joint heir: Casey Robert Smith

Relationship natural son of Decedent

Year (or date) of birth October 13, 1982

Residence Springfield, Missouri (MO)

Citizenship United States

Post Office Address 1125 S. Craig Avenue

Springfield, Missouri (MO) 65804

14. That all five (5) of the above-identified persons enumerated (a) through (e) above survived said Kevin Robert Smith at the time of his death, and in fact survive as of the date below next to my signature, wherein hereinafter said five (5) above-identified persons enumerated (a) through (e) above shall be referred to as the "HEIRS."

15. That, upon advice of counsel, the pertinent provisions of Section 474.010 (Missouri Revised Statutes) which apply to the instant circumstances recite in full (extraneous passages omitted):

474.010. All property as to which any decedent dies intestate shall descend and be distributed...as follows:

(1) The surviving spouse shall receive:

** * **

(c) One-half of the intestate estate if there are surviving issue, one or more of whom are not issue of the surviving spouse;

(2) The part not distributable to the surviving spouse...shall descend and be distributed as follows:

(A) To the decedent's children...in equal parts;...

16. That, upon advice of counsel, the totality of said Kevin Robert Smith's partial interest in the above-identified U.S. Patent No. 7,066,096, the above-identified U.S. Patent Application No. 11/438,672, as well as any further patent properties which should arise in the future and fall within the ambit of above-identified cross-assignment, recorded with the Office at Reel 014442, Frame 0225, of recordation date September 2, 2003 (none known), are wholly distributed pursuant to Section 474.010 (Missouri Revised Statutes) as follows:

- a. myself, Tracy Lynn (*née* Coffman) Smith,
one-half (1/2) of all said Kevin Robert Smith's partial-interest;
- b. Taylor Brent Smith,
one-eighth (1/8) of all said Kevin Robert Smith's partial-interest;
- c. Curtis Farrington Smith,
one-eighth (1/8) of all said Kevin Robert Smith's partial-interest;
- d. Lacy Denise Smith,
one-eighth (1/8) of all said Kevin Robert Smith's partial-interest; and
- e. Casey Robert Smith,
one-eighth (1/8) of all said Kevin Robert Smith's partial-interest.

17. AND that I, said declarant Tracy Lynn (*née* Coffman) Smith, hereby authorize and request the Director of the Patent and Trademark Office of the United States to reflect the descent, distribution, transfer and setting over of the entirety of said Kevin Robert Smith's partial-interest in the above-identified U.S. Patent No. 7,066,096, the above-identified U.S. Patent Application No. 11/438,672, as well as any further patent properties which should arise in the future and fall within the ambit of above-identified cross-assignment, recorded with the Office at Reel 014442, Frame 0225, of recordation date September 2, 2003 (none known) upon the records of the U.S. Patent and Trademark Office, in accordance with the terms of this Verified Statement (Declaration).

DECLARATION

The undersigned inventor(s) declare further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: 7-16-07

Sign: Tracy Lynn (Coffman) Smith
Tracy Lynn (*née* Coffman) Smith

CONTINUATION SHEET(S)

1. The Independent Personal (Legal) Representative of Kevin Robert Smith (decedent) pursuant to the Missouri Probate Code, Section 472.010(26); Section 472.320; Section 473.780; and Section 472.330, is sole surviving spouse, namely:--

Full name of personal (legal) representative party: Tracy Lynn (née Coffman) Smith
Post Office Address P.O. Box 344
Mountain Grove, Missouri (MO) 65711

2. Name and address of receiving party(ies): - continued-

- b. Full name of second receiving party: Taylor Brent Smith
Post Office Address P.O. Box 344
Mountain Grove, Missouri (MO) 65711
- c. Full name of third receiving party: Curtis Farrington Smith
Post Office Address 6216 E. Quincy Street
Inverness, Florida (FL) 34452
- d. Full name of fourth receiving party: Lacy Denise Smith
Post Office Address 6216 E. Quincy Street
Inverness, Florida (FL) 34452
- e. Full name of fifth receiving party: Casey Robert Smith
Post Office Address 1125 S. Craig Avenue
Springfield, Missouri (MO) 65804

-end of document-

MISSOURI

CERTIFICATION OF DEATH

DATE FILED: JUNE 7, 2006

STATE FILE NUMBER: 124-06-014105

DECEDENT NAME: KEVIN ROBERT SMITH

SEX: MALE

DATE OF
DEATH: MAY 8, 2006

COUNTY
OF DEATH: WRIGHT

DATE OF
BIRTH: JULY 19, 1962

MARITAL
STATUS: MARRIED

EVER IN
ARMED FORCES: NO

SOCIAL
SECURITY NUMBER: 499-74-8843

RESIDENCE
ADDRESS:

SURVIVING SPOUSE:
(IF WIFE, MAIDEN NAME): TRACY L COFFMAN

UNDERLYING CAUSE (ICD CODE): (C349)
METASTATIC LUNG CANCER

ISSUED ON BEHALF OF MO DEPT HEALTH & SENIOR SERVICES: WRIGHT

THIS IS A TRUE CERTIFICATION OF NAME AND DEATH FACTS AS RECORDED BY THE BUREAU OF VITAL RECORDS, JEFFERSON CITY, MISSOURI.

DATE ISSUED: MARCH 1, 2007

Ivra J. Cross
Ivra J. Cross
State Registrar of Vital Statistics



THE REPRODUCTION OF THIS DOCUMENT IS PROHIBITED BY LAW.
ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATION

PATENT
REEL: 019834 FRAME: 0851

Missouri Revised Statutes

Chapter 474

Probate Code--Intestate Succession and Wills

Section 474.010

August 28, 2006

General rules of descent.

474.010. All property as to which any decedent dies intestate shall descend and be distributed, subject to the payment of claims, as follows:

(1) The surviving spouse shall receive:

(a) The entire intestate estate if there is no surviving issue of the decedent;

(b) The first twenty thousand dollars in value of the intestate estate, plus one-half of the balance of the intestate estate, if there are surviving issue, all of whom are also issue of the surviving spouse;

(c) One-half of the intestate estate if there are surviving issue, one or more of whom are not issue of the surviving spouse;

(2) The part not distributable to the surviving spouse, or the entire intestate property, if there is no surviving spouse, shall descend and be distributed as follows:

(a) To the decedent's children, or their descendants, in equal parts;

(b) If there are no children, or their descendants, then to the decedent's father, mother, brothers and sisters or their descendants in equal parts;

(c) If there are no children, or their descendants, father, mother, brother or sister, or their descendants, then to the grandfathers, grandmothers, uncles and aunts or their descendants in equal parts;

(d) If there are no children or their descendants, father, mother, brother, sister, or their descendants, grandfather, grandmother, uncles, aunts, nor their descendants, then to the great-grandfathers, great-grandmothers, or their descendants, in equal parts; and so on, in other cases without end, passing to the nearest lineal ancestors and their children, or their descendants, in equal parts; provided, however, that collateral relatives, that is, relatives who are neither ancestors nor descendants of the decedent, may not inherit unless they are related to the decedent at least as closely as the ninth degree, the degree of kinship being computed according to the rules of the civil law; that is, by counting upward from the decedent to the nearest common ancestor, and then downward to the relative, the degree of kinship being the sum of these two counts, so that brothers are related in the second degree;

(3) If there is no surviving spouse or kindred of the decedent entitled to inherit, the whole shall go to the kindred of the predeceased spouse who, at the time of the spouse's death, was married to the decedent, in like course as if such predeceased spouse had survived the decedent and then died entitled to the property, and if there is more than one such predeceased spouse, then to go in equal shares to the kindred of each predeceased spouse;

(4) If no person is entitled to inherit as provided in this section the property shall escheat as provided by law.

(RSMo 1939 § 306, A.L. 1955 p. 385 § 236, A.L. 1980 S.B. 637, A.L. 1996 S.B. 494)

Prior revisions: 1929 § 306; 1919 § 303; 1909 § 332

Effective 5-23-96

CROSS REFERENCES:

Adopted child, right to inherit, RSMo 453.090, 453.170

Escheats, generally, Chap. 470, RSMo

Estates of suicides to descend as in cases of natural death, Const. Art. I § 30

(1958) Devise of undivided one-half interest in realty to testator's son for life and at his death to his children absolutely but if he should die without issue living, then to other son for life and at his death to other son's "heirs at law", was construed according to statute of descent and distribution in effect when second life tenant died rather than statute in effect at execution of will and testator's death and thus widow of second life tenant took one-half of the undivided one-half interest against contention that testator indicated intent that land go to his descendants. *Thomas v. Higginbotham* (Mo.), 318 S.W.2d 234.

(1967) The effect of this section is to establish a legal liability against the estates of all decedents, including a deceased wife, for payment of the decedent's funeral expenses. *Gibson v. Muehlebach Funeral Home, Inc.* (A.), 409 S.W.2d 759.

© Copyright



Missouri General Assembly