

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

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

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)

(A). John P. AZURE
(B). Tanner L. ERICKSON
(C). Glenn D. LIUBAKKA

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

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

Execution Date(s) (A) & (B): 11/7/07 - (C) 11/8/07

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other

2. Name and address of receiving party(ies)

Name: The Toro Company

Internal Address: _____

Street Address: 8111 Lyndale Avenue South

City: Bloomington

State: MN

Country: USA Zip: 55420-1196

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

4. Application or patent number(s):

A. Patent Application No.(s)
11/900,394

☐ This document is being filed together with a new application.
B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Matthew W. Adams

Internal Address: _____

Street Address: P. O. Box 581415

City: Minneapolis

State: MN Zip: 55458-1415

Phone Number: 612-305-1227

Fax Number: 612-305-1228

Email Address: madams@mrqs.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 13-4896

Authorized User Name Matthew W. Adams

9. Signature:

Matthew W. Adams
Signature

21st Nov. 2007
Date

Matthew W. Adams (Reg No. 43,459)

Name of Person Signing

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

5

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 134896 11900394

Docket 206.00550101

ASSIGNMENT

Whereas We, John P. Azure, Tanner L. Erickson, and Glenn D. Liubakka, with residences and citizenships as indicated below; have made an invention in

WALK-BEHIND TRENCHING MACHINE

Filed: 11 September 2007

Serial No.: 11/900,394

and executed an application for Letters Patent of the United States of America based thereon;

Now, therefore, for good and valuable consideration, receipt of which is acknowledged, we have individually and jointly agreed to assign and transfer and do hereby assign and transfer unto The Toro Company ("Company"), a corporation of Delaware, having its principal office at 8111 Lyndale Avenue South, Bloomington, MN 55420-1196, its successors and assigns, the entire right, title, and interest in and to said invention and application, and in and to any division or continuation (in whole or in part) of said application, and in and to any and all improvements in said invention made by us or any of us or made jointly with others (provided any such improvement is made during, or within one year after the termination of, the employment by the Company of whichever of us, solely or jointly with one or more others, has made the same), and in and to any and all Letters Patent, reexaminations, reissues, or extensions thereof, of the United States of America and countries foreign thereto (including the right to apply for Letters Patent, Utility Models, or Inventors' Certificates in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), which have been or may be granted thereon or on any divisional, continuation (in whole or in part), renewal, reexamination, reissue, or other or further application based in whole or in part upon said invention or improvements thereon, to be held and enjoyed as fully and exclusively as they would have been by us or any of us had this assignment and transfer not been made;

We do further agree for ourselves and for our heirs, executors, and administrators, to execute and deliver without further consideration any further applications, assignments, and documents, and to perform such other acts as we lawfully may, that may be deemed necessary by the Company, its successors, assigns, and nominees, fully to secure its right, title, and interest as aforesaid and to obtain or maintain Letters Patent, Utility Models, or Inventors' Certificates in any and all countries;

And we do hereby authorize and request the Commissioner of Patents to issue any and all Letters Patent which may be granted upon any of said applications, to The Toro Company as the assignee of the entire right, title, and interest therein.

In witness whereof, we have hereto signed our names on the days and years set forth below.

John P. Azure
Name: John P. Azure

4601 Southmore Drive, Bloomington, MN 55437
Address: 4601 Southmore Drive, Bloomington, MN 55437

United States of America
Citizenship: United States of America

11/7/07
Date

STATE OF Minnesota)

COUNTY OF Hennepin) ss.

On this 7th day of November 2007, before me personally appeared John P. Azure, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Marguerite M. Gerold
Notary Public



Assignment

Page 2 of 2

Serial No. 11/900,394

Filed: 11 September 2007

For: **WALK-BEHIND TRENCHING MACHINE**Tanner Erickson11/7/07
Date

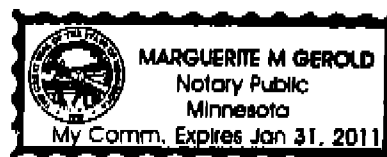
Name: Tanner L. Erickson

Address: 1720 West Larpenteur Avenue, Apt. 1H, St. Paul, MN 55113

Citizenship: United States of America

STATE OF Minnesota)
) ss.
COUNTY OF Hennepin)

On this 7th day of November 2007, before me personally appeared Tanner L. Erickson, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Marguerite M. Gerold
Notary PublicName: Glenn D. Liubakka
Address: 13604 Hidden Creek Drive NW, Andover, MN 55304
Citizenship: United States of America

Date

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____ 2007, before me personally appeared Glenn D. Liubakka, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Notary Public

Docket 206.00550101

ASSIGNMENT

Whereas We, John P. Azure, Tanner L. Erickson, and Glenn D. Liubakka, with residences and citizenships as indicated below; have made an invention in

WALK-BEHIND TRENCHING MACHINE

Filed: 11 September 2007

Serial No.: 11/900,394

and executed an application for Letters Patent of the United States of America based thereon;

Now, therefore, for good and valuable consideration, receipt of which is acknowledged, we have individually and jointly agreed to assign and transfer and do hereby assign and transfer unto The Toro Company ("Company"), a corporation of Delaware, having its principal office at 8111 Lyndale Avenue South, Bloomington, MN 55420-1196, its successors and assigns, the entire right, title, and interest in and to said invention and application, and in and to any division or continuation (in whole or in part) of said application, and in and to any and all improvements in said invention made by us or any of us or made jointly with others (provided any such improvement is made during, or within one year after the termination of, the employment by the Company of whichever of us, solely or jointly with one or more others, has made the same), and in and to any and all Letters Patent, reexaminations, reissues, or extensions thereof, of the United States of America and countries foreign thereto (including the right to apply for Letters Patent, Utility Models, or Inventors' Certificates in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), which have been or may be granted thereon or on any divisional, continuation (in whole or in part), renewal, reexamination, reissue, or other or further application based in whole or in part upon said invention or improvements thereon, to be held and enjoyed as fully and exclusively as they would have been by us or any of us had this assignment and transfer not been made;

We do further agree for ourselves and for our heirs, executors, and administrators, to execute and deliver without further consideration any further applications, assignments, and documents, and to perform such other acts as we lawfully may, that may be deemed necessary by the Company, its successors, assigns, and nominees, fully to secure its right, title, and interest as aforesaid and to obtain or maintain Letters Patent, Utility Models, or Inventors' Certificates in any and all countries;

And we do hereby authorize and request the Commissioner of Patents to issue any and all Letters Patent which may be granted upon any of said applications, to The Toro Company as the assignee of the entire right, title, and interest therein.

In witness whereof, we have hereunto signed our names on the days and years set forth below.

Name: John P. Azure
Address: 4601 Southmore Drive, Bloomington, MN 55437
Citizenship: United States of America

Date

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____ 2007, before me personally appeared John P. Azure, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Notary Public

Assignment

Page 2 of 2

Serial No. 11/900,394

Filed: 11 September 2007

For: WALK-BEHIND TRENCHING MACHINE

Name: Tanner L. Erickson
Address: 1720 West Larpentour Avenue, Apt. 1H, St. Paul, MN 55113
Citizenship: United States of America

Date

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2007, before me personally appeared Tanner L. Erickson, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Notary Public

Glenn D. Liubakka
Name: Glenn D. Liubakka

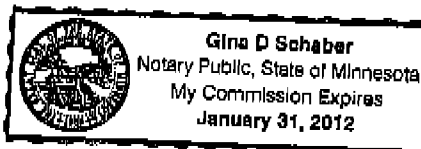
Address: 13604 Hidden Creek Drive NW, Andover, MN 55304
Citizenship: United States of America

Nov 8th 2007
Date

STATE OF Minnesota)
) ss.
COUNTY OF Washington)

On this 8 day of Nov., 2007, before me personally appeared Glenn D. Liubakka, to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Gina D. Schaber
Notary Public



PATENT
Docket No. 206.00550101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Azure et al.) Group Art Unit: 3671
Serial No.: 11/900,394) Examiner: Unassigned
Confirmation No.: 2305)
Filed: 11 September 2007)

For: WALK-BEHIND TRENCHING MACHINE

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents
Mail Stop Assignment Recordation Services
P.O. Box 1450
Alexandria, VA 22313-1450

FAX NUMBER: (571) 273-0140
Total Pages (including cover page): 8
Time: 12:53pm (Central Time)
(Transmission must be complete by
midnight eastern time.)

The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission: Miscellaneous Communication (1 pg.); copy of Notice of Non-Recordation of Assignment Document (1 pg.); a copy of previously submitted executed Cover Sheet (1 pg.); a copy of the previously submitted Assignment documents (4 pgs.)

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueting, Raasch & Gebhardt, P.A.
Customer Number: 26813

6 Dec. 2007
Date

By: Matthew W. Adams
Matthew W. Adams
Reg. No. 43,459
Direct Dial (612)305-1227

CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to the Commissioner for Patents, Mail Stop Assignment Recordation Services, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6th day of December, 2007, at 12:53pm (Central Time).

6 Dec 2007
Date

Signature: Sara E. Wiggant
Name: Sara E. Wiggant

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).

PATENT
REEL: 020213 FRAME: 0806

USPTO

11/26/2007 6:07:04 PM

PAGE

2/006

FAX SERVER

O:MATTHEW W. ADAMS COMPANY:P.O. BOX 581415

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

700350996

NOVEMBER 26, 2007

PTAS

MATTHEW W. ADAMS
P.O. BOX 581415
MINNEAPOLIS, MN 55458-1415UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 700350996

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE,
MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.
IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE,
YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT
571-272-3350.

1. MATTHEW W. ADAMS IS NOT A AUTHORIZE USER TO DEPOSIT ACCOUNT PLEASE CLARIFY

MARGARET LASALLE, PARALEGAL
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

PATENT
Docket No. 206.00550101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Azure et al.)	Group Art Unit:	3671
)		
Serial No.:	11/900,394)	Examiner:	Unassigned
Confirmation No.:	2305)		
)		
Filed:	11 September 2007)		
For:	<u>WALK-BEHIND TRENCHING MACHINE</u>			

MISCELLANEOUS COMMUNICATION

Mail Stop Assignment Recordation Services
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A "Notice of Non-Recordation of Document" was transmitted on November 26, 2007 in the above-identified application. The Notice refused recordation of an Assignment previously submitted as Applicants' representative, Matthew W. Adams, was determined not to be associated with the identified deposit account. While representative Adams is associated with the organization of record with this deposition account, he is now also listed as an authorized individual user.

Pursuant to a telephone conversation between Margaret LaSalle (Paralegal, Assignment Services Branch) and Sara Wigant (paralegal for Applicants' representative), it is our understanding that re-submission of the original Assignment document and its original Recordation Form Cover Sheet will be sufficient to ensure the Assignment is recorded. Thus, please find attached the following documents: a copy of the Notice of Non-Recordation, a copy of previously submitted Cover Sheet, and a copy of the previously submitted Assignment documents.

Please direct any inquiries to the undersigned attorney.

CERTIFICATE UNDER 37 C.F.R. 1.8:

I, the undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to: Mail Stop Assignment Recordation Services, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6th day of December, 2007, at 12:53pm (Central Time).

By: Sara E. Wigant
Name: Sara E. Wigant

Date 6 Dec 2007

Respectfully submitted
By
Mueeting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Phone: (612)305-1220
Facsimile: (612)305-1228
Customer Number 26813

By: Matthew W. Adams
Matthew W. Adams
Reg. No. 43,459
Direct Dial (612)305-1227

PATENT