

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)

Frederick Mueller
Wavework, Inc., a California corporation

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

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

Execution Date(s) December 28, 2007

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

2. Name and address of receiving party(ies)

Name: Wavework, Inc., a California corporation

Internal Address: c/o Joan Mueller, agent for service

Street Address: 2431 Mar East St.

City: Tiburon

State: CA

Country: U.S.A. Zip: 94920

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

4. Application or patent number(s):

A. Patent Application No.(s)

09/945,133
11/034,107

☐ This document is being filed together with a new application.

B. Patent No.(s)

U.S. Pat. No. 5,864,640; U.S. Pat. No. 6,288,385;
U.S. Pat. No. 6,747,260; U.S. Pat. No. 6,858,826;
U.S. Pat. No. 7,098,435; U.S. Pat. No. 7,271,377

Additional numbers attached? ☐ Yes ☒ No

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

Name: Ann McFarland Draper

Internal Address: _____

Street Address: 110 Pacific Ave., #351

City: San Francisco

State: California Zip: 94111

Phone Number: 415-989-5620

Fax Number: 415-434-1125

Email Address: ann.draper@gmail.com

6. Total number of applications and patents involved: 8

7. Total fee (37 CFR 1.21(h) & 3.41) \$320.00

- ☒ 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 9766
Expiration Date 02/10

b. Deposit Account Number _____

Authorized User Name Ann Draper

9. Signature:


Signature

Date _____

Ann McFarland Draper
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, VA 22315-1450

PATENT

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REEL: 020309 FRAME: 0454

OP \$320.00 09945133

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Attorneys for Plaintiff
JOAN MUELLER

FILED
San Francisco County Superior Court

DEC 28 2007

GORDON PARK-LI, Clerk

BY: Bernadette Thompson
Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO
UNLIMITED JURISDICTION**

JOAN MUELLER, an individual and a shareholder in
defendant WAVEWORX, Inc.

Plaintiffs,

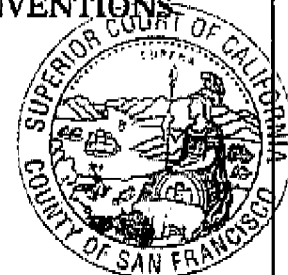
vs.

FREDERICK MUELLER, an individual;
WAVEWORX, INC., a California corporation; and
DOES 1-30, inclusive,

Defendants.

Case No.: CGC-07-469428

**NOTICE OF PENDING ACTION
(LIS PENDENS) AFFECTING
OWNERSHIP OF INVENTIONS
AND PATENTS**



Notice is given that the above-entitled action was commenced on November 21, 2007 in the above-entitled court by Plaintiff JOAN MUELLER, in her capacity as an individual and as a shareholder bringing this action for the benefit of defendant WAVEWORX, INC., against Defendant defendants FREDERICK MUELLER, an individual, WAVEWORX, INC., a California corporation, and DOES 1-30, inclusive, and the action is now pending in San Francisco Superior Court in San Francisco, State of California.

The above-entitled action alleges claims that affect title to certain inventions, patents, patents pending, continuations and continuations in part, claims, and other patent rights and intellectual property, regardless of whether or not actually or potentially abandoned, and more particularly described as follows:

United States Patent No. 5,864,640 Method and apparatus for optically scanning three dimensional objects using color information in trackable patches

United States Patent No. 6,288,385 Method and apparatus for scanning three-dimensional objects

United States Patent No. 6,747,260 Method and apparatus for three-dimensional color scanning

United States Patent No. 6,858,826 Method and apparatus for scanning three-dimensional objects

United States Patent No. 7,098,435 Method and apparatus for scanning three-dimensional objects

United States Patent No. 7,271,377 Calibration ring for developing and aligning view dependent image maps with 3-D surface data

U.S. Patent Application No. 11/034,107

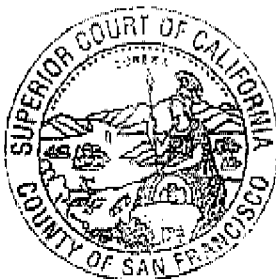
U.S. Patent Application No. 09/945,133

Any and all claims and causes of action existing in favor of Waveworx, Inc. and/or deriving from any of the foregoing patents and/or any intellectual property or corresponding intellectual property rights at any time owned by WaveWorx, Inc.

Any and all other inventions, trade secrets and United States and foreign patents, patent applications, abandoned patents and abandoned patent applications and pending applications of WaveWorx, Inc.

DATED: December 28, 2007

Law Offices of
ANN McFARLAND DRAPER



By

Ann McFarland Draper
Ann McFarland Draper
Attorney for Plaintiff
JOAN MUELLER

THE ANNEXED INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN MY OFFICE.
ATTEST: CERTIFIED

DEC 28 2007

GORDON PARK U. Clerk
SUPERIOR COURT

BY *Bernadette Thompson*
BERNADETTE THOMPSON
DEPUTY CLERK

Mueller v. Mueller, et al

PATENT

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REEL: 020309 FRAME: 0456

PROOF OF SERVICE

I, Heather Haggmark, declare:

1. I am over the age of eighteen years of age and not a party to this action. I am employed by the offices of the attorney at whose request this service is being made. My business address is 110 Pacific Ave., #351, San Francisco, CA 94111.

2. On December 28, 2007, I served true and correct copies of the foregoing document **NOTICE OF PENDING ACTION (LIS PENDENS) AFFECTING OWNERSHIP OF INVENTIONS AND PATENTS** on the interested parties by placing a true copy thereof enclosed in a sealed envelope, by certified mail, return receipt requested, with postage thereon fully prepaid, in the United States Mail at San Francisco, State of California, addressed as follows:

Frederick Mueller
411 O'Farrell Street
San Francisco, CA 94102

WaveWorx, Inc.
c/o Joan Mueller, agent for service of process
2431 Mar East St.
Tiburon, CA 94920

John Miramonti
9 Lash Road
West Lebanon, NH 03784

Joan Mueller
2431 Mar East St.
Tiburon, CA 94920

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed this 28th day of December, 2007, at San Francisco, California.


Heather Haggmark



PATENT

RECORDED 12/31/2007

REEL: 020309 FRAME: 0457