

11-26-2008



ET

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To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

80.42.11

**1. Name of conveying party(ies)**

Robert C. Lam  
Feng Dong

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

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

Name: BorgWarner Inc.

Internal Address: \_\_\_\_\_

Street Address: 3850 Hamlin Road

City: Auburn Hills

State: Michigan

Country: US Zip: 48326

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

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

Execution Date(s) April 20, 2006

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

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

This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

11/410,722

Additional numbers attached?  Yes  No

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

Name: Patrick P. Pacella, Esq.

Internal Address Emch, Schaffer, Schaub &

Porcello Co., L.P.A.

Street Address: P.O. Box 916

City: Toledo

State: Ohio Zip: 43697-0916

Phone Number: 419-243-1294

Fax Number: 419-243-8502

Email Address: essp@essp-law.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 to deposit account
- Enclosed
- None required (government interest not affecting title)

**8. Payment Information**

Deposit Account Number 11725/2008 DBYRNE 00000061 11410722

Authorized User Name 48.00 07

**9. Signature:**

*Patrick P. Pacella*  
Signature

Nov 18, 2008  
Date

Patrick P. Pacella

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

**ASSIGNMENT**

WHEREAS, we, ROBERT C. LAM of Rochester, MI 48306, and FENG DONG, of Rochester, MI 48306, have invented a FRICTION MATERIAL for which we have executed application for United States Letters Patent under even date herewith; and

WHEREAS, BorgWarner Inc. of 3850 Hamlin Road Auburn Hills, MI 48326, a corporation of Michigan, is desirous of acquiring the entire interest in and to said invention and any Letters Patent to issue therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to me in hand paid, the receipt whereof is hereby acknowledged, we, ROBERT C. LAM and FENG DONG do hereby sell, assign and transfer unto the said, BorgWarner Inc., its successors or assigns, the entire right, title and interest in and to said application and invention in the United States and all countries foreign thereto, including the right of priority under the International Convention of 1883 and later modifications thereof, and to any Letters Patent to issue therefor, and I hereby request the Commissioner of Patents and Trademarks of the United States to issue to said company any Letters Patent thereon, in accordance with the terms of this assignment.

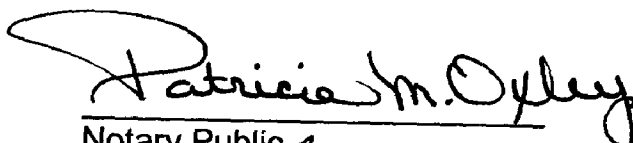
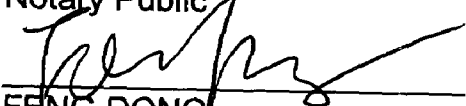
We agree to execute any and all documents required by said company, its successors or assigns, for the prosecution of said application, or of any division, continuation, reissue, or reexamination thereof, or for securing foreign patents covering said invention, and also any documents required by it, its successors or assigns, to more fully vest in it or them title to said invention, or to any application or patent that may be filed therefor or secured thereon.

  
ROBERT C. LAM

STATE OF MICHIGAN )  
COUNTY OF Oakland ) ss.

On this 20<sup>th</sup> day of April, 2006, before me appeared ROBERT C. LAM, to me personally known, and acknowledged the signing of the above instrument to be his free act and deed.

(SEAL)

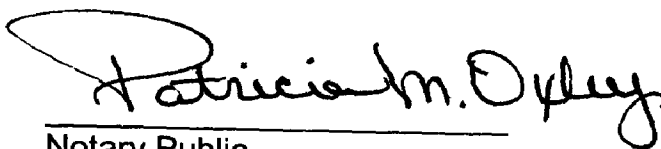
  
Notary Public  
  
FENG DONG

PATRICIA M. OXLEY  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF GENESSEE  
MY COMMISSION EXPIRES Mar 25, 2011  
ACTING IN COUNTY OF Oakland

STATE OF MICHIGAN )  
COUNTY OF Oakland ) ss.

On this 20<sup>th</sup> day of April, 2006, before me appeared FENG DONG, to me personally known, and acknowledged the signing of the above instrument to be his free act and deed.

(SEAL)

  
Notary Public

PATRICIA M. OXLEY  
NOTARY PUBLIC, STATE OF MI  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)


Application Number	11/410,722
Filing Date	April 25, 2006
First Named Inventor	Robert C. Lam et al.
Art Unit	1793/Conf. #4661
Examiner Name	Pegah Parvini
Attorney Docket Number	06021/DKT05050A

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

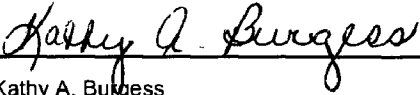
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Recordation Sheet
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Assignment
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Emch, Schaffer, Schaub & Porcello Co., L.P.A.		
Signature			
Printed name	Patrick P. Pacella		
Date	Nov. 18, 2008	Reg. No.	25,463

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Kathy A. Burgess	Date	11/24/08

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).  
**FEE TRANSMITTAL**  
**For FY 2009**

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 40.00

**Complete if Known**

Application Number	11/410,722
Filing Date	April 25, 2006
First Named Inventor	Robert C. Lam et al.
Examiner Name	Pegah Parvini
Art Unit	1793/Conf #4661
Attorney Docket No.	06021/DKT05050A

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 15-0825 Deposit Account Name: Owen & Owen

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, **except for the filing fee**

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	_____
Design	220	110	100	50	140	70	_____
Plant	220	110	330	165	170	85	_____
Reissue	330	165	540	270	650	325	_____
Provisional	220	110	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**      **Extra Sheets**      **Number of each additional 50 or fraction thereof**      **Fee (\$)**      **Fee Paid (\$)**


\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount) Fees Paid (\$)

Other (e.g., late filing surcharge): Recordation Fee 40.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 25,463	Telephone 419-243-1294
Name (Print/Type)	Patrick P. Pacella	Date <u>Nov 18, 2008</u>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PATENT**

**RECORDED: 11/24/2008**

**REEL: 021898 FRAME: 0983**