

PATENT ASSIGNMENT

Electronic Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT												
NATURE OF CONVEYANCE:	ASSIGNMENT												
CONVEYING PARTY DATA													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Name</th> <th style="width: 30%;">Execution Date</th> </tr> </thead> <tbody> <tr> <td>Rick M Kelly</td> <td>04/08/2009</td> </tr> <tr> <td>David A Baum</td> <td>04/18/2009</td> </tr> </tbody> </table>		Name	Execution Date	Rick M Kelly	04/08/2009	David A Baum	04/18/2009						
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Name:</td> <td>Acuity Brands, Inc.</td> </tr> <tr> <td>Street Address:</td> <td>1170 Peachtree Street</td> </tr> <tr> <td>Internal Address:</td> <td>Suite 2400</td> </tr> <tr> <td>City:</td> <td>Atlanta</td> </tr> <tr> <td>State/Country:</td> <td>GEORGIA</td> </tr> <tr> <td>Postal Code:</td> <td>30309</td> </tr> </table>		Name:	Acuity Brands, Inc.	Street Address:	1170 Peachtree Street	Internal Address:	Suite 2400	City:	Atlanta	State/Country:	GEORGIA	Postal Code:	30309
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CORRESPONDENCE DATA													
<p>Fax Number: (404)541-3396</p> <p><i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i></p> <p>Phone: 404-815-6500</p> <p>Email: cspain@kilpatrickstockton.com</p> <p>Correspondent Name: John S. Pratt - Kilpatrick Stockton LLP</p> <p>Address Line 1: 1100 Peachtree Street</p> <p>Address Line 2: Suite 2800</p> <p>Address Line 4: Atlanta, GEORGIA 30309</p>													
ATTORNEY DOCKET NUMBER:	48248-322168												
NAME OF SUBMITTER:	Cheryl N. Spain												
<p>Total Attachments: 3</p> <p>source=322168_AssignmentNuncProTunc_executed#page1.tif</p>													

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ASSIGNMENT NUNC PRO TUNC

WHEREAS, we, **RICK M. KELLY**, a citizen of the United States of America, residing at 222 Derby Downs Road, Newark, Ohio 43055 USA; and **DAVID A. BAUM**, a citizen of the United States of America, residing at 33 Mallard Pt., Hebron, Ohio 43025 USA, have invented certain inventions and improvements disclosed in an application for Letters Patent entitled "POLE SYSTEM", which was filed in the U.S. Patent & Trademark Office on October 28, 2005, and assigned Serial No. 11/262,100; and

WHEREAS, **ACUITY BRANDS, INC.**, a corporation of the State of Delaware having a principal place of business at 1170 Peachtree Street, Suite 2400, Atlanta, Georgia 30309, is desirous of acquiring an interest in the same;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which we hereby acknowledge, we, **RICK M. KELLY** and **DAVID A. BAUM**, by these presents do sell, assign and transfer *nunc pro tunc*, effective as of October 28, 2005, unto **ACUITY BRANDS, INC.**, the full, exclusive and entire right, title, and interest, including the right to sue for past infringement, in and to said application and any patents that issue directly or indirectly therefrom, in and to any divisions, continuations, and reissues thereof, and in and to all inventions and improvements disclosed and described in said application; and we hereby request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from said application, or from a division, continuation, or reissue thereof, to **ACUITY BRANDS, INC.**, as the assignee, for its interest and for the sole use and benefit of **ACUITY BRANDS, INC.** and its assigns and legal representatives;


For the same consideration, we, by these presents do sell, assign, and transfer *nunc pro tunc*, effective as of October 28, 2005, to **ACUITY BRANDS, INC.**, the full, exclusive, and entire right, title and interest, including the right to sue for past infringement, in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issued in the name of **ACUITY BRANDS, INC.**, or its designee insofar as permitted by applicable law.

We, **RICK M. KELLY** and **DAVID A. BAUM**, agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefore.

AND, for the same consideration, we agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all assignments and rightful oaths, and generally do everything possible to aid **ACUITY BRANDS, INC.**, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

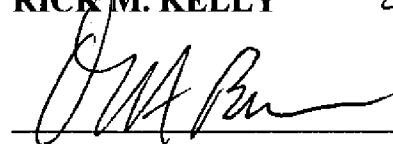
This Assignment is expressly made NUNC PRO TUNC to have the same legal force and effect as if executed on **October 28, 2005** (the filing date of the above-referenced patent application).

Date: 4/8/2009



RICK M. KELLY

Date: 4/19/2009



DAVID A. BAUM

Our Docket: 48248-322168