

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

12/29/10

01/25/2011



103616241

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:		NEW ASSIGNMENT	
NATURE OF CONVEYANCE:		Correction by Declaration of incorrect Patent No. 6,058,224 recorded at 011170/0448	
CONVEYING PARTY DATA			
Name		Execution Date	
NEC Corporation		11/17/1997	
RECEIVING PARTY DATA			
Name:	NEC Corporation		
Street Address:	7-1, Shiba 5-chome,		
City:	Minato-ku, Tokyo		
State/Country:	JAPAN		
PROPERTY NUMBERS Total: 1			
Property Type	Number		
Patent Number:	6058224		
CORRESPONDENCE DATA			
Fax Number:	(202)293-7860		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	202-293-7060		
Email:	jheuer@sughrue.com		
Correspondent Name:	Sughrue Mion, PLLC		
Address Line 1:	2100 Pennsylvania Avenue, N.W.		
Address Line 2:	Suite 800		
Address Line 4:	Washington, DISTRICT OF COLUMBIA 20037		
ATTORNEY DOCKET NUMBER:		048410	
NAME OF SUBMITTER:		J. Warren Lytle, Jr.	
Total Attachments: 28 source=048410_declaration#page1.tif source=048410_declaration#page2.tif source=048410_declaration#page3.tif source=048410_declaration#page4.tif source=048410_Exhibits_for_Declaration#page1.tif			

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TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

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**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q48504

Hiroshi HAGA

Patent No.: 6,058,224

Appln. No.: 08/982,392

Group Art Unit: 2722

Confirmation No.: 9237

Examiner: VU, Kim Y.

Filed: December 2, 1997

Issued: May 2, 2000

For: **MANUAL SCANNING TYPE IMAGE INPUT DEVICE AND IMAGE SIGNAL
PROCESSING METHOD USING THINNED OUT LINE IMAGE DATA**

DECLARATION RE CORRECTIVE ASSIGNMENT

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

Sir:

I, Kazuhiko Yamada, hereby declare and state the following.

1. THAT I am a citizen of Japan.
2. THAT I have am presently employed by NEC Corporation, where I hold the position of General Manager, Intellectual Asset Development Promotion Division. I am responsible for the administration of NEC Corporation's intellectual property assets, including U.S. patents assigned to NEC Corporation.
3. THAT United States Patent No. 6,058,224 ("US 6,058,224"), entitled "MANUAL SCANNING TYPE IMAGE INPUT DEVICE AND IMAGE SIGNAL PROCESSING METHOD USING THINNED OUT LINE IMAGE DATA," issued on May 2, 2000 from U.S.

Attorney Docket No.: Q48504
U.S. Application No.: 08/982,392

Application No. 08/982,392 filed on December 2, 1997, to inventor Hiroshi Haga, and assigned to NEC Corporation. See Exhibit 1, cover page of US 6,058,224.

4. THAT the assignment records of the U.S. Patent and Trademark Office (USPTO) show that four documents, identified on the USPTO's Patent Assignment Abstract of Title as Assignment: 1 through Assignment: 4, were recorded in the assignment records for US 6,058,224. See Exhibit 2, "Patent Assignment Abstract of Title."

5. THAT NEC Corporation is the correct owner of US 6,058,224, by virtue of an assignment by the sole inventor of US 6,058,224, Hiroshi Haga, to NEC Corporation, executed on November 17, 1997, hereinafter referred to as the "Assignment." The Assignment was recorded at Reel/Frame 008902/0998 on December 12, 1997. See Exhibit 2, which shows the Assignment as "Assignment 1" in the Patent Assignment Abstract of Title. See also, Exhibit 3, "Assignment."

6. THAT the USPTO assignment records show that a Patent Security Interest Agreement, hereinafter "Security Interest," between Intracorp, Inc. and Gardner & Groff, P.C., shown as Assignment 2 on the Patent Assignment Abstract of Title, was recorded against US 6,058,224 at Reel/Frame 011170/0448, on October 10, 2000. See Exhibit 4. The Security Interest identifies U.S. Patent No. 6,085,224 ("US 6,085,224") as the subject of the Security Interest. See Exhibit 4, "Schedule 1, Description of Properties."

7. THAT the USPTO assignment records show that a Patent Security Interest Release, hereinafter "Security Interest Release 1," for the Security Interest, shown as Assignment

Attorney Docket No.: Q48504
U.S. Application No.: 08/982,392

3 on the Patent Assignment Abstract of Title, was recorded against US 6,058,224 at Reel/Frame 012199/0939, on September 17, 2001. See Exhibit 5.

8. THAT the USPTO assignment records show that another Patent Security Interest Release, hereinafter "Security Interest Release 2," for the Security Interest, shown as Assignment 4 on the Patent Assignment Abstract of Title, was recorded against US 6,058,224 at Reel/Frame 012551/0189, on January 30, 2002. See Exhibit 6.

9. THAT the Security Interest, the Security Interest Release 1 and the Security Interest Release 2 were recorded with erroneous information. Specifically, the cover sheets for the following documents recite US 6,058,224, in error, as they should recite US 6,085,224, as indicated in Schedule 1 of the Security Interest.

<u>Erroneously Recorded Document</u>	<u>Reel/Frame</u>
Security Interest	011170/0448
Security Interest Release	012199/0939
Security Interest Release	012551/0189

10. THAT a summary of the true chain of title for US 6,058,224 is:

From inventor: Hiroshi HAGA	To: NEC Corporation 7-1, Shiba 5-chome Minato-ku Tokyo, JAPAN
-----------------------------	---

The document was recorded in the U.S. Patent and Trademark Office at:

Reel: 008902, Frame: 0998 on December 12, 1997.

Attorney Docket No.: Q48504
U.S. Application No.: 08/982,392

11. THAT the last correct assignee, NEC Corporation, has been, and continues to be, the owner of US 6,058,224.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were 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.

Date: Dec 29, 2010



Kazuhiko Yamada
General Manager
Intellectual Asset Development Promotion Division

USPTO 1/17/2011 6:09:22 AM PAGE 9/032 , Fax Server
TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

DECLARATION RE CORRECTIVE ASSIGNMENT
U.S. Application No.: 08/982,392

Attorney Docket No.: Q48504

EXHIBIT 1



US006058224A

United States Patent [19]
Haga

[11] Patent Number: **6,058,224**
 [45] Date of Patent: **May 2, 2000**

[54] **MANUAL SCANNING TYPE IMAGE INPUT DEVICE AND IMAGE SIGNAL PROCESSING METHOD USING THINNED OUT LINE IMAGE DATA**

Primary Examiner—Kim Yen Vu
Attorney, Agent, or Firm—Sughrue, Mion, Zim, Macpeak & Soes, PLLC

[75] Inventor: Hiroshi Haga, Tokyo, Japan
 [73] Assignee: NEC Corporation, Tokyo, Japan
 [21] Appl. No.: 08/982,392
 [22] Filed: Dec. 2, 1997
 [30] Foreign Application Priority Data

[57] **ABSTRACT**

In a manual scanning type image input apparatus and an image signal processing method, unevenness of scanning is hard to occur due to the simple constitution. A line image sensor reads an image data of prescribed manuscript while implementing electrical main scanning with predetermined driving cycle, before a movement distance encoder detects movement distance in the direction of mechanical auxiliary scanning. A line image data which is read by the line image sensor is distributed to either one of two systems to be stored temporarily in the line memory of the two systems. The line image data which is stored temporarily is read out selectively by a data selector, before being constructed as an image data based on an address of the selected line image data by decoder. The line memory temporarily stores the whole line image data outputted from the line image sensor, before reading out the line image data while thinning out thereof based on the movement distance in the direction of mechanical auxiliary scanning whereby it becomes capable of constructing the image data of the manuscript without unevenness based on the mechanical auxiliary scanning of equal velocity.

Dec. 2, 1996 [JP] Japan 8-321962
 [51] Int. Cl. 7 H04N 1/40
 [52] U.S. Cl. 382/313; 358/473; 358/474
 [58] Field of Search 358/473, 474,
 358/486, 496, 497, 451, 444, 448, 505,
 506; 382/313-315; H04N 1/40

[56] **References Cited**

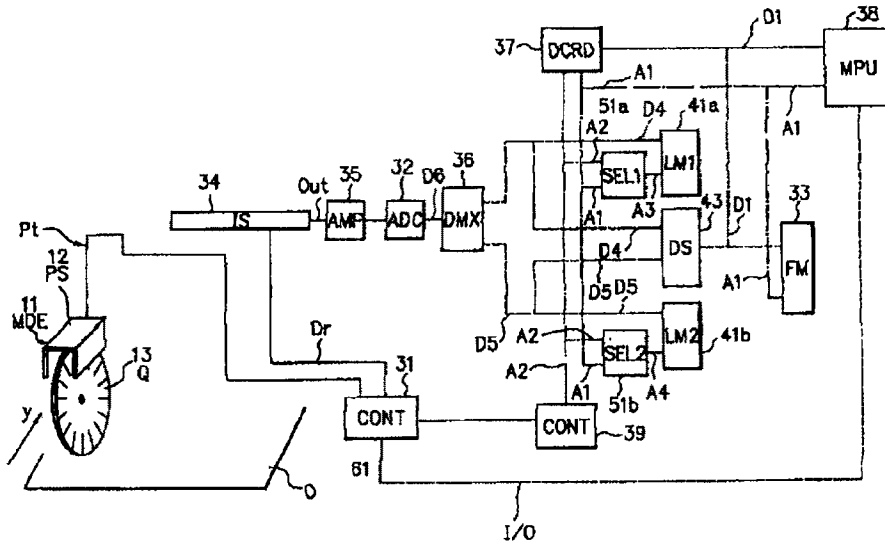
U.S. PATENT DOCUMENTS

4,851,921 7/1989 Sato et al. 358/474
 4,866,535 9/1989 Kubota et al. 358/474
 5,317,417 5/1994 Yamamura et al. 358/451
 5,684,601 11/1997 Endo 358/298
 5,883,729 3/1999 Miyazawa 358/506

FOREIGN PATENT DOCUMENTS

5-129068 8/1982 Japan .

10 Claims, 9 Drawing Sheets



USPTO 1/17/2011 6:09:22 AM PAGE 11/032 Fax Server
TO: SUGHRUE MION, PLLC COMPANY 2100 PENNSYLVANIA AVENUE, N.W.

DECLARATION RE CORRECTIVE ASSIGNMENT
U.S. Application No.: 08/982,392

Attorney Docket No.: Q48504

EXHIBIT 2

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

Patent Assignment Abstract of Title**NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.****Total Assignments: 4**

Patent #: 6258224 Issue Dt: 05/02/2000 Application #: 08982392 Filing Dt: 12/02/1997
 Inventor: HIROSHI HAGA
 Title: MANUAL SCANNING TYPE IMAGE INPUT DEVICE AND IMAGE SIGNAL PROCESSING METHOD USING THINNED OUT LINE IMAGE DATA

Assignment: 1

Reel/Frame: 008902 / 0998 Recorded: 12/12/1997 Pages: 2
 Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).
 Assignor: HAGA, HIROSHI Exec Dt: 11/17/1997
 Assignee: NEC CORPORATION
 7-1, SHIBA 5-CHOME MINATO-KU
 TOKYO, JAPAN
 Correspondent: SUGHRUE, MION, ZINN, MACPEAK & SEAS PLLC
 J. FRANK OSHA, ESQ.
 2100 PENNSYLVANIA AVENUE, N.W.
 SUITE 800
 WASHINGTON, D.C. 20037-3202

Assignment: 2

Reel/Frame: 011170 / 0448 Recorded: 10/10/2000 Pages: 6
 Conveyance: SECURITY INTEREST (SEE DOCUMENT FOR DETAILS).
 Assignor: INTRACEPT, INC. Exec Dt: 10/05/2000
 Assignee: GARDNER & GROFF, P.C.
 PAPER MILL VILLAGE, BLDG 23, 600 VILLAGE TRACE SUITE 300
 MARIETTA, GEORGIA 30067
 Correspondent: GARDNER & GROFF, P.C.
 MICHAEL J. MEHRMAN
 PAPER MILL VILLAGER
 600 VILLAGE TRACE, SUITE 300
 MARIETTA, GEORGIA 30067

Assignment: 3

Reel/Frame: 012199 / 0939 Recorded: 09/17/2001 Pages: 2
 Conveyance: SECURITY INTEREST RELEASE
 Assignor: GARDNER GROFF MEHRMAN & JOSEPHIC, P.C. Exec Dt: 09/14/2001
 Assignee: INTRACEPT, INC.
 SUITE 203
 8613 ROSWELL ROAD
 ATLANTA, GEORGIA 30350
 Correspondent: GARDNER GROFF MEHRMAN & JOSEPHIC, P.C.
 MICHAEL J. MEHRMAN
 PAPER MILL VILLAGER
 600 VILLAGE TRACE, SUITE 300
 MARIETTA, GA 30067

Assignment: 4

Reel/Frame: 012551 / 0182 Recorded: 01/30/2002 Pages: 5
 Conveyance: SECURITY INTEREST RELEASE
 Assignor: GARDNER GROFF MEHRMAN & JOSEPHIC, P.C. Exec Dt: 09/14/2001
 Assignee: INTRACEPT, INC.
 SUITE 203

USPTO

1/17/2011 6:09:22 AM PAGE 13/032 Fax Server

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N W.

8613 ROSWELL ROAD
ATLANTA, GEORGIA 30350

Correspondent: GARDNER GROFF MEHRMAN & JOSEPHIC, P.C.
MICHAEL J. MEHRMAN
600 VILLAGE TRACE, SUITE 300
MARIETTA, GA 30067

Search Results as of: 12/16/2010 03:53 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 671-272-8860, v.2.2
Web Interface last modified: Apr. 20, 2008

USPTO

1/17/2011 6:09:22 AM PAGE 14/032 Fax Server

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

DECLARATION RE CORRECTIVE ASSIGNMENT
U.S. Application No.: 08/982,392

Attorney Docket No.: Q48504

EXHIBIT 3

01-28-1998

Form PTO-1595
1-31-92



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Q48504

100614517

U.S. PAT
85292

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Hirosaki HAGA Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	2. Name and address of receiving party(ies)? Name: NEC CORPORATION Street Address: 7-1, Shiba 5-chome Hirato-ku, Tokyo, Japan Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other Execution Date: November 17, 1997	

88-21-21

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: 11/17/97 A. Patent Application No.(s) B. Patent No(s). Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--

5. Name and address of party to whom correspondence concerning document should be mailed: J. Frank Ochs, Esq. SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Suite 800 Washington, D.C. 20037-3202	6. Total number of applications and patents involved: One 7. Total fee (37 CFR 3.41): \$ 40.00 <input checked="" type="checkbox"/> Enclosed. Please charge any underpayment in connection with this Assignment to Deposit Account No. 19-4880. <input type="checkbox"/> Authorized to be charged to Deposit Account 8. Deposit Account No. 19-4880
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DO NOT WRITE IN 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. J. Frank Ochs, Reg. No. 24,625 December 2, 1997 Date

TOTAL NUMBER OF PAGES COMPRISING COVER SHEET, ATTACHMENTS AND DOCUMENT: _____

OMB No. 0651-0011 (exp. 4/94)
Do not detach this portion
Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

DEC 2 1997
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81/27/1998

PATENT
REEL: 8902 FRAME: 0998

PATENT
REEL: 025717 FRAME: 0837

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

For Non-U.S. Clients

Assignment

Whereas, ~~I/WE~~, HIROSHI HAGA of Tokyo, Japan

hereinafter called assignor(s), have invented certain improvements in

MANUAL SCANNING TYPE IMAGE INPUT DEVICE AND IMAGE SIGNAL PROCESSING METHOD USING THINNED OUT LINE IMAGE DATA

and executed an application for Letters Patent of the United States of America therefor on November 17, 1997; and

NEC Corporation

Whereas, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

(assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/WE, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/WE will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/WE hereby authorize and request my attorneys SUGHRUE, MION, ZINN MACPEAK & SEAS of 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202 to insert here in parentheses (Application number _____, filed _____) the filing date and application number of said application when known

Date: 11/17/1997 of Hiroschi Haga
HIROSHI HAGA

Date: of _____

Date: of _____

Witness:

Date: 11/17/1997 of Masayuki Takemura

Date: 11/17/1997 of [Signature]

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

9/92

RECORDED: 12/12/1997

PATENT
REEL: 8902 FRAME: 0999

PATENT
REEL: 025717 FRAME: 0838

USPTO

1/17/2011 6:09:22 AM PAGE 17/032 Fax Server


TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

DECLARATION RE CORRECTIVE ASSIGNMENT
U.S. Application No.: 08/982,392

Attorney Docket No.: Q48504

EXHIBIT 4

TO: SUGHRUE MION, PLLC COMPANY. 2100 PENNSYLVANIA AVENUE, N.W.

Form PTO-1595 (Adapted) 3-13-96		RECORD DATE PA: 10-10-00		10-25-2000		TOP COMMERCE & Trademark Office	
To the Honorable Commissioner of Patents and Trademark				101498669		is or copy thereof.	
1. Name of conveying party(ies): INTRACEPT, INC. (a Delaware corporation)				2. Name and address of receiving party(ies): Name: GARDNER & GROFF, P.C. Address: Paper Mill Village, Bldg 23, 800 Village Trace Suite 300, Marietta, GA 30067			
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input checked="" type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other				Execution Date: October 5, 2000			
4(a). Patent Application No.(s):				4(b). Patent No.(s): 6,858,224			
If this document is being filed together with a new application, the execution date of the application is: Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No							
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Michael J. Mehrman Address: GARDNER & GROFF, P.C. Paper Mill Village 800 Village Trace, Suite 300 Marietta, Georgia 30067				6. Total number of applications and patents involved: 1			
				7. Total fee (37 CFR 3.41) enclosed: \$40			
DO NOT USE THIS SPACE							
8. Statement and signature. <i>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.</i> <i>I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231, on the date given below.</i>							
				10/5/00		Date	
Michael J. Mehrman				Signature		Date	
Attorney Docket No: 4029-010				Total number of pages including cover sheet: 2			

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks
Box Assignments
Washington, DC 20231

10/24/2000 NTH:11 00000119 6058224
01 FC:581 40.00 DP

PATENT
REEL: 011170 FRAME: 0448

PATENT
REEL: 025717 FRAME: 0840

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

PATENT SECURITY INTEREST AGREEMENT

THIS PATENT SECURITY INTEREST AGREEMENT (this "Agreement") is made as of the latest signature date indicated in the signature block at the foot of this Agreement (the "Effective Date") by and between Intracept, Inc., a Delaware corporation having a mailing address at 8613 Roswell Rd., Suite 203, Atlanta, Georgia 30350 ("Intracept"); and Gardner & Groff, P.C., a Georgia professional corporation having a mailing address at Paper Mill Village, Building 23, 600 Village Trace, Suite 300, Marietta, Georgia 30067 ("G&G").

WHEREAS, Intracept and G&G have entered into a Patent Marketing Agreement pursuant to which G&G will earn Contingent Compensation if one or more of the Properties listed in Schedule 1 hereto are sold under the terms of the Patent Marketing Agreement; and

WHEREAS, Intracept acknowledges and agrees that it intends that this Agreement and the Properties are furnished to secure the obligations of Intracept under the Patent Marketing Agreement to pay G&G the Contingent Compensation (the "Obligations");

NOW, THEREFORE, for ten dollars (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and to secure the Obligations, Intracept does hereby grant to G&G a continuing security interest in the Properties listed in Schedule 1 hereto, including all proceeds thereof (such as, by way of example, license royalties, proceeds of infringement suits, or sale proceeds), the right to sue for past, present and future infringements, all rights corresponding rights throughout the world and all reissues, divisions, continuations, renewals, extensions and continuations-in-part thereof.

Intracept covenants and warrants that:

- (a) the issued patents among the Properties are subsisting and have not been adjudged invalid or unenforceable, in whole or in part;
- (b) to the best of Intracept's knowledge, each of the issued patents among the Properties are valid and enforceable;
- (c) Intracept is the sole and exclusive owner of the entire and unencumbered right, title and interest in and to the Properties, free and clear of any liens, charges and encumbrances, including without limitation, pledges, assignments, licenses, shop rights and covenants by Intracept not to sue third persons with respect to such Properties;
- (d) Intracept has the corporate power and authority to enter into this Agreement and perform its terms;

PATENT
REEL: 011170 FRAME: 0449

PATENT
REEL: 025717 FRAME: 0841

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

(e) no written claim has been made to Intracept or, to the knowledge of Intracept, any other person that the use of any of the Properties does or may violate the intellectual property rights of any third party; and

(f) Intracept has not, made, used, sold, or imported products covered by the claims of the Properties, and will not make, use, sell, or import such products for the duration of this Agreement, without attaching the following Notice or its legal equivalent to the product, the packaging for the product, or a label attached to the product: U.S. Patent No. 6,058,224.

G&G will terminate this security interest in the Properties upon payment of the Contingent Compensation under the terms of the Patent Marketing Agreement or upon termination of the Patent Marketing Agreement.

Intracept will cooperate and execute a UCC Financing Statement in favor of G&G and will cooperate in recording this Agreement in the United States Patent Office.

IN WITNESS WHEREOF, the duly authorized officers of the parties have executed this Agreement with the intent of becoming legally bound by its terms.

INTRACEPT, INC.

By: Richard Wagner
Name: Richard Wagner
Title: President
Date: 9/21/2000

[CORPORATE SEAL]

GARDNER & GROFF, P.C.,

By: Arthur A. Gardner
Name: Arthur A. Gardner
Title: President
Date: SEP 29, 2000

[CORPORATE SEAL]

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

STATE OF GEORGIA)
)
COUNTY OF Fulton) ss.

On this ^{SEPT.} 21 day of ~~July~~ 2000, before me, the undersigned, a Notary Public in and for said County and State, came Richard Wagner, the President of Intracorp, Inc., who is personally known to me to be the same person who executed, as an officer, the within instrument on behalf of said corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Laura M. Seaman
Notary Public in and for said County and State

Type or Print name: Laura M Seaman

[SEAL]

My Commission Expires:
My Commission Expires July 8, 2003

PATENT
REEL: 011170 FRAME: 0451

PATENT
REEL: 025717 FRAME: 0843

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

STATE OF GEORGIA)
)
COUNTY OF _____)

ss.

On this ____ day of July 2000, before me, the undersigned, a Notary Public in and for said County and State, came Arthur A. Gardner, the President of Gardner & Groff, P.C., who is personally known to me to be the same person who executed, as an officer, the within instrument on behalf of said corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Notary Public in and for said County and State

Type or Print name: _____

[SEAL]

My Commission Expires:

PATENT
REEL: 011170 FRAME: 0452

PATENT
REEL: 025717 FRAME: 0844

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

Schedule 1

Description of Properties

1. United States Patent No. 6,085,224; and
2. All domestic and foreign applications and patents claiming priority to the patent listed above, all patent applications associated with the patent listed above, the inventions described or claimed in these patents and patent applications, and any and all letters patent which may be granted for these inventions in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications claiming priority to these patents and applications.

Patent Security Interest.doc

RECORDED: 10/10/2000

**PATENT
REEL: 011170 FRAME: 0453**

**PATENT
REEL: 025717 FRAME: 0845**

USPTO 1/17/2011 6:09:22 AM PAGE 24/032 Fax Server
TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

DECLARATION RE CORRECTIVE ASSIGNMENT
U.S. Application No.: 08/982,392

Attorney Docket No.: Q48504

EXHIBIT 5

10-04-2001



101865434

Form PTO-1595 (Adapted) 3-13-96	J.S. DEPARTMENT OF COMMERCE Patent & Trademark Office	
RECORDATION FORM COVER SHEET PATENTS ONLY		
To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies): Gardner Groff Mehrman & Josephic, P.C. 09/17/01	2. Name and address of receiving party(ies): Name: Intracapt, Inc. Address: 8613 Roswell Road Suite 203 Atlanta, Georgia 30850	
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input checked="" type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other: Security Interest Release		
Execution Date: September 14, 2001		
4(a). Patent Application No.(s)	4(b). Patent No.(s): 6,058,224	
If this document is being filed together with a new application, the execution date of the application is: Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Michael J. Mehrman Address: GARDNER GROFF MEHRMAN & JOSEPHIC, P.C. Paper Mill Village 800 Village Trace, Suite 300 Marietta, Georgia 30067	6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41) enclosed: \$80.00	
DO NOT USE THIS SPACE		
8. Statement and signature. <i>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.</i> <i>I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231, on the date given below.</i>		
 Michael J. Mehrman Signature		September 14, 2001 Date
Attorney Docket No: 4102.8-010		Total number of pages including cover sheet: <u>2</u>

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks
 Box Assignments
 Washington, DC 20231

10/04/2001 JYLLNR 0000002 6058224
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Refund Ref: 10/04/2001 JYLLNR 000010601

CHECK Refund Total: 140.00

PATENT
 REEL: 012199 FRAME: 0939


PATENT
 REEL: 025717 FRAME: 0847

PATENT SECURITY INTEREST RELEASE

WHEREAS Gardner Groff Mehrman & Josephic, P.C., (formerly Gardner & Groff P.C.) a Georgia professional corporation having a mailing address at Paper Mill Village, Building 23, 600 Village Trace, Suite 300, Marietta, Georgia 30067, having a PATENT SECURITY INTEREST AGREEMENT recorded at Reel 011170 and Frame 0448, with Intracept, Inc., a Delaware corporation having a mailing address at 8613 Roswell Road, Suite 203, Atlanta, Georgia 30350, releases and terminates its' security interest in U.S. Patent Number 6,058,224 according to the terms of the Patent Marketing Agreement between the two parties.

IN WITNESS WHEREOF, a duly authorized officer of Gardner Groff Mehrman & Josephic, P.C. has executed this Release.


**GARDNER GROFF
MEHRMAN & JOSEPHIC, P.C.**

By: 
Name: Michael J. Mehrman
Title: Vice President

STATE OF GEORGIA

Before me, a Notary Public in and for the State of Georgia, on this 14th day of September, 2001, personally appeared Michael J. Mehrman, who being duly sworn, signed and acknowledged the foregoing Security Interest Release as his free act and deed.

(Seal)


NOTARY PUBLIC
My Commission Expires: 7/15/2005

RECORDED: 09/17/2001

PATENT
REEL: 012199 FRAME: 0940

PATENT
REEL: 025717 FRAME: 0848

USPTO

1/17/2011 6:09:22 AM PAGE 27/032 Fax Server

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W

DECLARATION RE CORRECTIVE ASSIGNMENT
U.S. Application No.: 08/982,392

Attorney Docket No.: Q48504

EXHIBIT 6



02-11-2002



101979305
 RECORDATION FORM COVER SHEET
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U.S. DEPARTMENT OF COMMERCE
 Patent & Trademark Office

1.3002

Form PTO-1595 (Adopted)
 3-13-96

RG

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

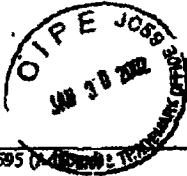
<p>1. Name of conveying party(ies): Gardner Groff Mehrman & Josephic, P.C.</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other: <u>Security Interest Release</u></p> <p>Execution Date: September 14, 2001</p>	<p>2. Name and address of receiving party(ies): Name: Intracapt, Inc. Address: 8613 Roswell Road Suite 203 Atlanta, Georgia 30350</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>4(a). Patent Application No.(s): _____ 4(b). Patent No.(s): 6,058,224</p> <p>If this document is being filed together with a new application, the execution date of the application is _____.</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: Michael J. Mehrman Address: GARDNER GROFF MEHRMAN & JOSEPHIC, P.C. Paper Mill Village 600 Village Trace, Suite 300 Marietta, Georgia 30067</p>	<p>6. Total number of applications and patents involved: 1</p> <p>7. Total fee (37 CFR 3.41) enclosed: Previously paid with Check #6068, paid to PTO on October 09, 2001</p> <p style="text-align: center;">DO NOT USE THIS SPACE</p>
<p>8. Statement and signature. <i>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.</i></p> <p><i>I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231, on the date given below.</i></p> <p> Michael J. Mehrman Signature Date December 28, 2001</p> <p>Attorney Docket No: 4102.9-010 Total number of pages including cover sheet: _____</p>	


Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks
 Box Assignments
 Washington, DC 20231

PATENT
 REEL: 012551 FRAME: 0189

PATENT
 REEL: 025717 FRAME: 0850

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W



Form PTO-1595 (Rev. 03-15-96)		U.S. DEPARTMENT OF COMMERCE Patent & Trademark Office	
PATENTS ONLY			
To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.			
1. Name of conveying party(ies): Gardner Groff Mehrman & Josephic, P.C. Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: Intracapt, Inc. Address: 8613 Roswell Road Suite 203 Atlanta, Georgia 30350 Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input checked="" type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other: <u>Security Interest Release</u> Execution Date: September 14, 2001			
4(a). Patent Application No.(s):		4(b). Patent No.(s): 6,058,224	
If this document is being filed together with a new application, the execution date of the application is: Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Michael J. Mehrman Address: GARDNER GROFF MEHRMAN & JOSEPHIC, P.C. Paper Mill Village 600 Village Trace, Suite 300 Marietta, Georgia 30067		6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41) enclosed: \$80.00	
DO NOT USE THIS SPACE			
8. Statement and signature. <i>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.</i> <i>I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231, on the date given below.</i>  Michael J. Mehrman Signature September 14, 2001 Date Attorney Docket No: 4102.8-010 Total number of pages including cover sheet: <u>2</u>			

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments, Washington, DC 20231

PATENT REEL: 012561 FRAME: 0190


PATENT REEL: 025717 FRAME: 0851

PATENT SECURITY INTEREST RELEASE

WHEREAS Gardner Groff Mehrman & Josephic, P.C., (formerly Gardner & Groff P.C.) a Georgia professional corporation having a mailing address at Paper Mill Village, Building 23, 600 Village Trace, Suite 300, Marietta, Georgia 30067, having a PATENT SECURITY INTEREST AGREEMENT recorded at Reel 011170 and Frame 0448, with Intracept, Inc., a Delaware corporation having a mailing address at 8613 Roswell Road, Suite 203, Atlanta, Georgia 30350, releases and terminates its' security interest in U.S. Patent Number 6,058,224 according to the terms of the Patent Marketing Agreement between the two parties.

IN WITNESS WHEREOF, a duly authorized officer of Gardner Groff Mehrman & Josephic, P.C. has executed this Release.


**GARDNER GROFF
MEHRMAN & JOSEPHIC, P.C.**

By: 
Name: Michael J. Mehrman
Title: Vice President

STATE OF GEORGIA

Before me, a Notary Public in and for the State of Georgia, on this 14th day of September, 2001, personally appeared Michael J. Mehrman, who being duly sworn, signed and acknowledged the foregoing Security Interest Release as his free act and deed.

(Seal)


NOTARY PUBLIC
My Commission Expires: 7/15/2005

**PATENT
REEL: 012551 FRAME: 0191**

**PATENT
REEL: 025717 FRAME: 0852**

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.

Secretary of State
Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

DOCKET NUMBER : 003330502
CONTROL NUMBER: K535914
EFFECTIVE DATE: 11/27/2000
REFERENCE : 0045
PRINT DATE : 11/28/2000
FORM NUMBER : 611



HARRY A. NIX
5664 PEACHTREE PARKWAY
SUITE B
NORCROSS, GA 30092

CERTIFICATE OF NAME CHANGE AMENDMENT

I, Cathy Cox, the Secretary of State and the Corporations Commissioner of the State of Georgia, do hereby certify under the seal of my office that

GARDNER & GROFF, P.C.
A PROFESSIONAL CORPORATION

has filed articles of amendment in the Office of the Secretary of State changing its name to

GARDNER, GROFF, MEHRMAN & JOSEPHIC, P.C.

and has paid the required fees as provided by Title 24 of the Official Code of Georgia Annotated. Attached hereto is a true and correct copy of said articles of amendment.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.



Cathy Cox
Secretary of State

PATENT
REEL: 012551 FRAME: 0192

PATENT
REEL: 025717 FRAME: 0853

TO: SUGHRUE MION, PLLC COMPANY: 2100 PENNSYLVANIA AVENUE, N.W.



Articles of Amendment

Of

Gardner & Groff, P.C.

Pursuant to O.C.G.A. 14-2-1006 of the Georgia Business Code, Gardner & Groff, P.C., a Georgia Corporation hereby submits the following Articles of Amendment:

1.

The name of the Corporation is Gardner & Groff, P.C. and the charter number of the Corporation is K535914. The date of incorporation is December 6, 1995.

2.

Article (1) of the Articles of Incorporation are hereby amended as follows: The name of the Corporation shall be "Gardner, Groff, Mehrman & Josephic, P.C."

3.

The Stockholders of the Corporation duly approved the Amendment on October 6, 2000.

IN WITNESS WHEREOF, Gardner & Groff, P.C. has caused these articles of Amendment to be executed by its duly authorized officers on this 3rd day of NOVEMBER, 2000.

[Signature]
Arthur A. Gardner, President

RECORDED & INDEXED
82-11123-1-10100
FEB 10 2002

RECORDED: 01/30/2002

PATENT
REEL: 012561 FRAME: 0193