

01/28/2011



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PATENT ASSIGNMENT

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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT										
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT										
<b>CONVEYING PARTY DATA</b>											
<table border="1"> <thead> <tr> <th>Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>Joe Spalding</td> <td>11/10/2010</td> </tr> <tr> <td>Daniel James Yee</td> <td>11/10/2010</td> </tr> <tr> <td>Damon Jurkiewicz</td> <td>11/10/2010</td> </tr> <tr> <td>Howard Loewenthal</td> <td>11/10/2010</td> </tr> </tbody> </table>		Name	Execution Date	Joe Spalding	11/10/2010	Daniel James Yee	11/10/2010	Damon Jurkiewicz	11/10/2010	Howard Loewenthal	11/10/2010
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Joe Spalding	11/10/2010										
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Damon Jurkiewicz	11/10/2010										
Howard Loewenthal	11/10/2010										
<b>RECEIVING PARTY DATA</b>											
<b>Name:</b>	Invacare Corp.										
<b>Street Address:</b>	One Invacare Way										
<b>City:</b>	Elyria										
<b>State/Country:</b>	OHIO										
<b>Postal Code:</b>	44036-2125										
<b>PROPERTY NUMBERS Total: 1</b>											
<table border="1"> <thead> <tr> <th>Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td><b>Application Number:</b></td> <td>29378836</td> </tr> </tbody> </table>		Property Type	Number	<b>Application Number:</b>	29378836						
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<b>Application Number:</b>	29378836										
<b>CORRESPONDENCE DATA</b>											
<b>Fax Number:</b>	(216)241-0816										
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
<b>Phone:</b>	216/622-8200										

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<b>ATTORNEY DOCKET NUMBER:</b>	12873/05970
<b>NAME OF SUBMITTER:</b>	Kenneth J. Smith
<b>Signature:</b>	/ken smith/
<b>Date:</b>	11/16/2010
<b>Total Attachments: 4</b> source=00967825#page1.tif source=00967825#page2.tif source=00967825#page3.tif source=00967825#page4.tif	
<b>RECEIPT INFORMATION</b>  <b>EPAS ID:</b> PAT1377713 <b>Receipt Date:</b> 11/16/2010 <b>Fee Amount:</b> \$40	

11/17/2010 00002399 4 8021 \$40.00 11/16/2010 DA 030172

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**ASSIGNMENT**

This Assignment is made and entered into by and between Joe Spalding, residing at 2650 Canton Road, Akron, Ohio 44312; Daniel James Yee, residing at 6900 Night Vista Drive, Parma, Ohio 44129; Damon Jurkiewicz, residing at 2032 West Blvd., Cleveland, Ohio 44102; and Howard Loewenthal, residing at 59 Valley Brook, Hinckley, Ohio 44233 (hereinafter referred to as "INVENTORS") and INVACARE CORP., an Ohio corporation, with its office at One Invacare Way, Elyria, OH 44036-2125 (hereinafter referred to as "INVACARE").

Whereas INVENTORS have invented certain inventions as described in United States design patent application Serial No. 29/378,836, filed November 10, 2010, titled "WHEELCHAIR SEATING SYSTEM" (Attorney Docket No. 12873/05970);

Whereas, INVACARE desires to acquire the entire right, title and interest in said application and inventions, and to any United States and foreign patents to be obtained therefor; and

Now, therefore, for good and valuable consideration, receipt of which is hereby acknowledged:

1. INVENTORS hereby sell, assign, and transfer to INVACARE, its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries, in and to the inventions set forth in the application for United States Letters Patent executed by the INVENTORS on the above-indicated date, said application for United States Letters Patent, any and all other applications for Letters Patent on said inventions in the United States and in countries foreign to the United States, including all divisional, renewal, extension, reexamination, substitute, continuation, continuation-in-part, reissue, and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extension of Letters Patent granted for said inventions or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said applications and said Letters Patent.

(12873/05970)

2. INVACARE is hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the INVENTORS or in the name of INVACARE or otherwise as INVACARE may deem advisable, under the International Convention or otherwise.

3. The Commissioner of Patents of the United States of America and the empowered officials of all other governments are hereby authorized to issue or transfer all said Letters Patent to INVACARE in accordance herewith.

4. This Assignment is being made under covenant, not only that full power to make the same is had by the INVENTORS, but also that, at the time of execution of this Assignment, such assigned right is not encumbered by any grant, license, governmental restriction, or other right heretofore given.

5. The INVENTORS agree that they will do all acts reasonably serving to assure that said inventions, patent applications and Letters Patent shall be held and enjoyed by INVACARE as fully and entirely as the same could have been held and enjoyed by the INVENTORS if this Assignment had not been made, and particularly to execute and deliver to INVACARE all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, lawful affidavits, and declarations in form and in substance which may be requested by INVACARE, to furnish INVACARE with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be useful for establishing the facts of conception, disclosure and reduction to practice of said inventions, and to testify in any proceedings relating to said inventions, patent applications and Letters Patent.

6. INVENTORS agree that this Assignment shall be construed in accordance with the laws and courts of Ohio. INVENTORS hereby also agree to submit to the jurisdiction of any Ohio court.

7. I hereby instruct INVACARE's attorneys to enter the corresponding application number and filing date of the afore-referenced patent application prior to recording this assignment, to have the same effect as if entered prior to my signature.

(12873/05970)

Signature:

Joe Spalding  
Joe Spalding

11/10/2010  
DATE

On this 10<sup>th</sup> day of November, 2010, personally appeared before me, Joe Spalding to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and the purposes therein mentioned.

Date: 11/10/10

Rebecca M. Lengyel  
Notary Public  
REBECCA M. LENGYEL  
NOTARY PUBLIC • STATE OF OHIO  
Recorded in Erie County  
My commission expires Mar. 4, 2015



Signature:

Daniel James Yee  
Daniel James Yee

Nov 10 2010  
DATE

On this 10<sup>th</sup> day of November, 2010, personally appeared before me, Daniel James Yee to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and the purposes therein mentioned.

Date: 11/10/10

Rebecca M. Lengyel  
Notary Public  
REBECCA M. LENGYEL  
NOTARY PUBLIC • STATE OF OHIO  
Recorded in Erie County  
My commission expires Mar. 4, 2015



(12873/05970)

Signature:

*Damon Jurkiewicz*  
Damon Jurkiewicz

11/10/10  
DATE

On this 10<sup>th</sup> day of November, 2010, personally appeared before me, Damon Jurkiewicz to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and the purposes therein mentioned.

Date: 11/10/10

*Rebecca M. Lengyel*  
Notary Public  
REBECCA M. LENGYEL  
NOTARY PUBLIC • STATE OF OHIO  
Recorded In Erie County  
My commission expires Mar. 4, 2015



Signature:

*Howard Loewenthal*  
Howard Loewenthal

11/10/10  
DATE

On this 10<sup>th</sup> day of November, 2010, personally appeared before me, Howard Loewenthal to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and the purposes therein mentioned.

Date: 11/10/10

*Rebecca M. Lengyel*  
Notary Public  
REBECCA M. LENGYEL  
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