# PATENT ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

| SUBMISSION TYPE:      | NEW ASSIGNMENT |
|-----------------------|----------------|
| NATURE OF CONVEYANCE: | ASSIGNMENT     |

#### **CONVEYING PARTY DATA**

| Name               | Execution Date |
|--------------------|----------------|
| Richard P. Luciano | 03/07/2011     |

#### **RECEIVING PARTY DATA**

| Name:             | Merrill Lynch & Co. Inc. |  |  |
|-------------------|--------------------------|--|--|
| Street Address:   | 250 Vesey Street         |  |  |
| Internal Address: | 4 World Financial Center |  |  |
| City:             | New York                 |  |  |
| State/Country:    | NEW YORK                 |  |  |
| Postal Code:      | 10281                    |  |  |

### PROPERTY NUMBERS Total: 1

| Property Type       | Number   |
|---------------------|----------|
| Application Number: | 10434040 |

# **CORRESPONDENCE DATA**

Fax Number: (214)661-4613

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 214-953-6500

Email: donna.ulbik@bakerbotts.com
Correspondent Name: Christa Brown-Sanford
Address Line 1: 2001 Ross Avenue, Suite 600

Address Line 2: Baker Botts L.L.P.

Address Line 4: Dallas, TEXAS 75201-2980

ATTORNEY DOCKET NUMBER: 015444.0614

NAME OF SUBMITTER: Donna Ulbik

Total Attachments: 1

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PATENT REEL: 025910 FRAME: 0180

ASSIGNMENT Serial No. 10/434,040

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### ASSIGNMENT

WHEREAS, I, Richard P. Luciano ("Assignor"), a citizen of the United States of America, residing at Austin, Texas, have invented certain new and useful inventions entitled "FINANCIAL INSTRUMENT PROVIDING RETURNS AS CASH AND ACCRETION". If the following lines are blank, the above application was filed on even date herewith, otherwise, to comply with 37 C.F.R. § 3.21 for recordal of this assignment, I, an assignor below, hereby authorize the attorneys for Bank of America to insert the filing date and application number below after they become known and prior to filing the recordation. U.S. Application No. 10/434,040 filed May 8, 2003.

WHEREAS, Merrill Lynch & Co. Inc. ("Assignee"), a Delaware corporation, with an address of 4 World Financial Center, 250 Vesey Street, New York, New York 10281, is desirous of acquiring the entire right, title and interest in and to the aforesaid inventions and in and to all applications and Letters Patent therefore granted in the United States of America, and in any and all countries foreign thereto:

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for good and valuable consideration, including salary or payment for the making of inventions, or employee benefits, the receipt and sufficiency of which is hereby acknowledged, I said Assignor, by these presents do sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives, the full and exclusive right, title and interest for the territory of the United States of America and all countries foreign thereto, and throughout the world and in space, (including the right to apply for Letters Patent in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), in and to said inventions and in and to all applications and Letters Patent granted therefor, and all divisions, reissues, continuations and extensions thereof, and in and to all copyrights, trademarks with their associated goodwill, trade secrets, confidential information, and compilations, necessary or useful to make, use, or sell the inventions. I hereby authorize and request the Commissioner of Patents, and any official whose duty it is to issue patents, to issue all Letters Patent on said inventions or resulting therefrom to said Assignee, or its successors and assigns, as assignee of the entire right, title and interest. I represent and warrant that I have full right to agree to, execute, and deliver this assignment. I agree that I will without further consideration, but at the expense of Assignee, communicate to said Assignee, or its successors, assigns, or nominees, any and all facts known to me regarding said inventions whenever requested, and that I will execute all nonprovisional, divisional, reissue and continuation applications, testify in any legal proceedings, sign all lawful papers, make all rightful oaths, and generally do everything reasonable for said Assignee, its successors, assigns, and nominees, to obtain and enforce proper patent protection for said inventions in all countries.

|     |             |                  |  | -74h |     |
|-----|-------------|------------------|--|------|-----|
|     | , IN WITNES | S WHEREOF, I hav | e hereunto set my hand and seal this _ | /    | day |
| of_ | March       | , 2011.          | _                                      |      |     |
|     | :           |                  |  |      |     |
|     | :           |                  | Celuf -                                |      | ·   |
|     |             | :                | Richard P. Luciano, Assignor           |      |     |

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**PATENT** REEL: 025910 FRAME: 0181

RECORDED: 03/07/2011