

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Submission to Correct an Error Made in Previously Recorded Document that Erroneously Affects the Identified Application
CONVEYING PARTY DATA	
Name	Execution Date
AM General LLC	05/20/2011
RECEIVING PARTY DATA	
Name:	AM General LLC
Street Address:	105 North Niles Avenue
City:	South Bend
State/Country:	INDIANA
Postal Code:	46617
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	11279321
CORRESPONDENCE DATA	
Fax Number:	(574)237-1125
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Correspondent Name:	Gerard T. Gallagher
Address Line 1:	100 N. Michigan Street
Address Line 4:	South Bend, INDIANA 46601
ATTORNEY DOCKET NUMBER:	100600.108686
NAME OF SUBMITTER:	Gerard T. Gallagher
Total Attachments: 5 source=Declaration Re Assignment#page1.tif source=Declaration Re Assignment#page2.tif source=Declaration Re Assignment#page3.tif source=Declaration Re Assignment#page4.tif source=Declaration Re Assignment#page5.tif	

CH \$40.00 11279321

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PATENT
REEL: 026319 FRAME: 0266

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Phillip C. Ruehl
Serial No.: 11/279,321
Filed: 04/11/2006
Art Unit: 3635
For: BOXED FRAME MEMBER AND
MTHOD FOR MANUFACTURE
Confirmation No.: 7949
Examiner: William V. Gilbert

DECLARATION IN SUPPORT OF CORRECTED ASSIGNMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. The present Declaration is submitted pursuant to *Manual of Patent Examining Procedure*, § 323.01(c) to correct an error in the assignment records.

2. The correct owner of the present application is AM General LLC. In a co-pending application, namely, U.S. Patent Application Serial No. 11/670,217, AM General filed a Petition Under 37 C.F.R. §1.47(b) on February 1, 2007 claiming that the inventor, Philip C. Ruehl, had assigned all rights to the invention that is the subject matter of that application to AM General LLC. That petition was granted. (Exhibit A) The decision on the petition states the following:

Petitioner has provided a copy of two executed Purchasing Orders and an executed Mutual Confidentiality Agreement that, taken together,

established that Mr. Ruehl had an obligation to assign his rights in the invention to AM General LLC.

3. The subject matter of the '217 Application and U.S. Patent Application No. 11/279,321 is the same. Thus, the Patent and Trademark Office has ruled that AM General is the owner of the invention that is the subject matter of this application.

4. The inventor recorded an alleged assignment at Reel 024246, Frames 0277-0298. The cover sheet for that assignment indicates that AM General LLC is the conveying party and that the execution date is February 5, 2010. The documents submitted with the cover sheet are not an assignment from AM General. The documents are (a) Inventor's Response to AM General's Response to Inventor's Counter-Statement To AM General's Statement under 37 CFR §3.73(b) for Establishing the Right to Take Action, (b) Second Declaration of Phillip C. Ruehl in Support of Inventor's Response to AM General's Response to Inventor's Counter-Statement to AM General's Statement under 37 CFR §3.73(b) for Establishing the Right to Take Action, (c) Declaration of Phillip C. Ruehl in Support of Inventor's Counter-Statement To AM General's Statement under 37 CFR §3.73(b), (d) two Purchase Orders and (e) a Mutual Confidentiality Agreement.¹

5. There is no assignment from AM General to Mr. Ruehl in any of the papers listed in Paragraph 4, above. Nor is there a document executed by AM General on February 5, 2010.

6. Thus, the previously-recorded document was submitted with erroneous information. AM General respectfully requests that this Corrected Assignment be accepted for recordation.

¹ The Purchase Orders and Mutual Confidentiality Agreement are the same documents referred to in the petition decision holding that Mr. Ruehl had an obligation to assign all rights in this invention to AM General.

7. The undersigned declares that all statements made herein of his 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 this Declaration or the '321 Application.

8. If any fees are due, please charge them to the Deposit Account of Barnes & Thornburg, Deposit Account No. 100435 (100600.108686).

Respectfully submitted,

BARNES & THORNBURG LLP



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APR 13 2007

OFFICE OF PETITIONS

In re Application of
Ruehl
Application No. 11/670,217
Filed: February 1, 2007
Attorney Docket No. AMG00121
For: FRAME RAIL

ON PETITION

This decision is mailed in response to the petition under 37 CFR 1.47(b), filed February 1, 2007.

The petition is granted.

Petitioner has shown that the non-signing inventor, Phillip C. Ruehl, has refused, through his attorney, to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the affidavit of Attorney Gerard T. Gallagher establishes that the complete application and a declaration were successfully mailed to Mr. Ruehl's attorney, along with a request that Mr. Ruehl sign the declaration. Another attorney representing Mr. Ruehl subsequently wrote a letter to Mr. Gallagher stating that Mr. Ruehl would not execute the declaration. In addition, petitioner has provided a copy of two executed Purchasing Orders and an executed Mutual Confidentiality Agreement that, taken together, establish that Mr. Ruehl had an obligation to assign his rights in the invention to AM General LLC. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and petitioner has shown that such action is necessary to prevent irreparable damage.

Petitioner paid a \$130.00 petition fee. A \$200.00 petition fee is required. Pursuant to petitioner's authorization, the \$70.00 balance due will be charged to deposit account no. 02-0387

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center G.A.U. 3673 for examination in due course.

RECEIVED

APR 16 2007

BAKER & DANIELS

EXHIBIT A

PATENT
REEL: 026319 FRAME: 0270

Telephone inquiries should be directed to the undersigned at (571) 272-3230.



Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions