



PATENT ASSIGNMENT COVER SHEET

07/18/2014



103668303



Electronic Version v1.1  
Stylesheet Version v1.2

07/18/14

Re 103667861

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT AGREEMENT

**CONVEYING PARTY DATA**

Name	Execution Date
MR ANDREW J SPURLOCK	05/08/2013
MR EDWARD A BURRIS	05/08/2013
MR DANIEL P HARTNESS	05/08/2013
STARFIRE ENGINEERING INC	05/08/2013

**RECEIVING PARTY DATA**

<b>Name:</b>	MONTANA HYDRAULICS, LLC
<b>Street Address:</b>	888 FLORENCE STREET
<b>City:</b>	HELENA
<b>State/Country:</b>	MONTANA
<b>Postal Code:</b>	59601

**PROPERTY NUMBERS Total: 1**

Property Type	Number
<b>Application Number:</b>	14296064

**CORRESPONDENCE DATA**

**Fax Number:** (406)442-8783  
**Phone:** 406 442 8560  
**Email:** wlm@gsjw.com

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.*

**Correspondent Name:** WILLIAM L. MACBRIDE, JR.  
**Address Line 1:** GOUGH, SHANAHAN, JOHNSON, AND WATERMAN  
**Address Line 2:** 33 S. LAST CHANCE GULCH  
**Address Line 4:** HELENA, MONTANA 59601

<b>ATTORNEY DOCKET NUMBER:</b>	67146-012
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<b>NAME OF SUBMITTER:</b>	WILLIAM L. MACBRIDE JR
<b>Signature:</b>	/S/ WILLIAM L MACBRIDE JR
<b>Date:</b>	06/04/2014
<b>Total Attachments: 6</b> source=SCAN5207_000#page1.tif source=SCAN5207_000#page2.tif source=SCAN5207_000#page3.tif source=SCAN5207_000#page4.tif source=SCAN5207_000#page5.tif source=SCAN5207_000#page6.tif	
<b>RECEIPT INFORMATION</b>	
<b>EPAS ID:</b>	PAT2884452
<b>Receipt Date:</b>	06/04/2014

### RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)**

Andrew J. Spurlock, et al.

Additional name(s) of conveying party(ies) attached?  Yes  No

**2. Name and address of receiving party(ies)**

Name: Montana Hydraulics, LLC

Internal Address: \_\_\_\_\_

Street Address: 888 Florence Street

City: Helena

State: Montana

Country: US Zip: 59601

Additional name(s) & address(es) attached?  Yes  No

**3. Nature of conveyance/Execution Date(s):**

Execution Date(s) May 8, 2013 (attached)

- Assignment  Merger
- Security Agreement  Change of Name
- Joint Research Agreement
- Government Interest Assignment
- Executive Order 9424, Confirmatory License
- Other \_\_\_\_\_

**4. Application or patent number(s):**

This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

Provisional (61/956,386) June 2013; Nonprovisional June 2014

Additional numbers attached?  Yes  No

**5. Name and address to whom correspondence concerning document should be mailed:**

Name: William L. MacBride, Jr.

Internal Address: \_\_\_\_\_

Street Address: 33 South Last Chance Gulch

City: Helena

State: Montana Zip: 59601

Phone Number: 406-442-8560

Docket Number: GSJW 67146-012

Email Address: wlm@gsjw.com

**6. Total number of applications and patents involved:** 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00

- Authorized to be charged to deposit account
- Enclosed
- None required (government interest not affecting title)

**8. Payment Information**

Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

**9. Signature:**

William L. MacBride, Jr.  
Signature

June 4, 2014  
Date

William L. MacBride, Jr.  
Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

6

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

Form PTO-1595  
Recordation Form Cover Sheet Patents Only  
Page Two

Name of Conveying Parties:

Edward A. Burris

Daniel P. Hartness

Starfire Engineering, Inc., (a Kansas Corporation), through its president,  
Andrew J. Spurlock

## Assignment Agreement

BURRIS  
CAB

This Assignment Agreement ("Agreement") is entered into this 8<sup>th</sup> day of May, 2013, by and between, Starfire Engineering, Inc. ("Starfire"), a Kansas corporation, located at 1421 Research Park Drive, Suite 2A, Lawrence, Kansas 66049 and Andrew J. Spurlock, Edward A. Burns, and Daniel P. Hartness (collectively, "Employees"), of Lawrence, Kansas, and Montana Hydraulics, LLC ("Assignee"), a Montana limited liability company, located at 888 Florence Avenue, Helena, Montana, 59601.

Whereas Starfire was hired by the Assignee to work on a bi-directional railcar-mounted ballast plow (the "Subject Work");

Whereas, Starfire employed certain of its employees, the Employees defined above, to work on the Subject Work (hereinafter Starfire and Employees are collectively "Assignors"); and

Whereas, Assignee is applying for a United States Patent to the Subject Work (hereinafter the "Invention"), and desires to acquire, and Assignors all desire to assign, the entire right, title, and interest in the Invention, including patent rights.

Now therefore, pursuant to the promises and premises set forth herein, and for good and valuable consideration, the receipt of which is acknowledged, the Parties agree as follows:

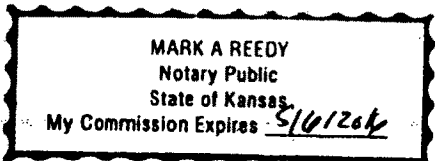
1. **Assignment.** Assignors, by this document do, individually and collectively, sell, assign, relinquish and transfer unto said Assignee all of their respective right, title, and interest, in and to the said Invention, including in and to designs, inventive concepts pertaining thereto, and to any patents, derivatives, improvements that may result therefrom; the same to be held and enjoyed by said Assignee for its own use, and for its legal representatives and assigns, as fully and entirely as the same would have been held by any of the Assignors had this Assignment and sale not been made.
2. **Warranties, Representations and Covenants.** Starfire warrants and represents, and confirms that the Employees are the only persons at Starfire involved in the Invention, and that one or more of the Employees from this group shall constitute an inventor or inventors of the Invention, who shall be required to execute a declaration pursuant to a US Patent application and applicable US Patent laws and regulations.

Starfire covenants that said inventor or inventors shall cooperate with Assignee in the preparation of said application, including executing the required declaration, along with this Agreement.

Starfire covenants that while it may subsequently develop a design or designs of a bi-directional railcar-mounted ballast plow, such a design or designs shall not infringe on any patents of the Invention which result from the Subject Work.

Executed effective on the day set forth above.

Mark A. Reedy, Notary, personally appeared Andrew J. Spurlock, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

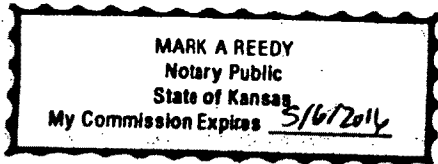


Mark A. Reedy  
Print Name: MARK A REEDY  
Notary Public for the State of Kansas  
Residing at: 2701 IOWA LAWRENCE KS 66046  
My Commission expires: 5/6/2016

STATE OF KANSAS )  
 )  
COUNTY OF Douglas ) : ss.

On the 8<sup>th</sup> day of May, in the year 2013, before me, MARK A REEDY, Notary, personally appeared Edward A. Burns, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

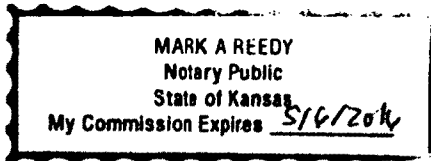
BURRIS  
EA



Mark A. Reedy  
Print Name: MARK A REEDY  
Notary Public for the State of Kansas  
Residing at: 2701 IOWA LAWRENCE KS 66046  
My Commission expires: 5/6/2016

STATE OF KANSAS )  
 )  
COUNTY OF Douglas ) : ss.

On the 8<sup>th</sup> day of May, in the year 2013, before me, MARK A REEDY, Notary, personally appeared Daniel P. Hartness, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Mark A. Reedy  
Print Name: MARK A REEDY  
Notary Public for the State of Kansas  
Residing at: 2701 IOWA LAWRENCE KS 66046  
My Commission expires: 5/6/2016

STATE OF MONTANA )

u

Assignors:  
Starfire Engineering, Inc.

Assignee:  
Montana Hydraulics, LLC

Andrew J. Spurlock  
By: Andrew J. Spurlock  
As: President

Della Ehlke  
By: Della Ehlke  
As: President

Andrew J. Spurlock  
Andrew J. Spurlock

Edward A. Burns  
Edward A. Burns BURRIS  
EBB

Daniel P. Hartness  
Daniel P. Hartness

STATE OF KANSAS )  
COUNTY OF Douglas ) : ss.

On the 8<sup>th</sup> day of May, in the year 2013, before me,  
Mark A Reedy, Notary, personally appeared Andrew J. Spurlock,  
President of Starfire Engineer, Inc. and known to me to be the person whose name is subscribed to  
the within instrument, and acknowledged to me that he executed the same on behalf of said  
company.

Mark A Reedy

MARK A REEDY  
Notary Public  
State of Kansas  
My Commission Expires 5/6/2016

Print Name: MARK A REEDY  
Notary Public for the State of Kansas  
Residing at: 2701 IOWA LAWRENCE KS 66046  
My Commission expires: 5/6/2016

STATE OF KANSAS )  
COUNTY OF Douglas ) : ss.

On the 8<sup>th</sup> day of May, in the year 2013, before me,

COUNTY OF LEWIS AND CLARK )

: ss.

On the 8<sup>th</sup> day of May, in the year 2013, before me,  
Sandy L. Neal, Notary, personally appeared Della Ehlke, President  
of Montana Hydraulics, LLC, and known to me to be the person whose name is subscribed to the  
within instrument, and acknowledged to me that he executed the same on behalf of said company.

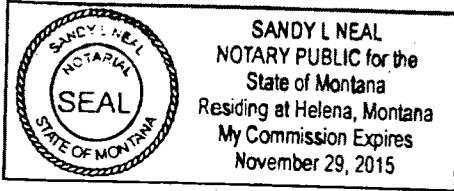
Sandy L. Neal

Print Name: SANDY L. NEAL

Notary Public for the State of Montana

Residing at: Helena, MT

My Commission expires: Nov 29, 2015





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Montana Hydraulics, LLC

Application No./Patent No.: (Provisional 61/956,386)

Filed/Issue Date: June 7, 2013

Titled: Railcar Ballast Directional Apparatus

Montana Hydraulics, LLC.

, a Montana limited liability company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1.  the assignee of the entire right, title, and interest in;
- 2.  an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
- 3.  the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy therefore is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet(s).

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

William L. MacBride, Jr.  
Signature

June 4, 2014  
Date

William L. MacBride, Jr.

Attorney for Applicant/Assignee

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PATENT**  
**REEL: 033358 FRAME: 0344**

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

**Title of  
Invention**

RAILCAR BALLAST DISTRIBUTING APPARATUS

As the below named inventor, I hereby declare that:

This declaration is directed to:  The attached application, or  
 United States application or PCT international application number \_\_\_\_\_  
 filed on \_\_\_\_\_

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: ANDREW J. SPURLOCK Date (Optional): JUNE 3, 2014

Signature: Andrew J. Spurlock

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PATENT**  
**REEL: 033358 FRAME: 0345**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)****Title of  
Invention**

RAILCAR BALLAST DISTRIBUTING APPARATUS

As the below named inventor, I hereby declare that:

This declaration  
is directed to:

The attached application, or



United States application or PCT international application number \_\_\_\_\_

filed on \_\_\_\_\_

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001  
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LEGAL NAME OF INVENTOR

Inventor:

*Daniel P. Hartness*

Date (Optional):

JUNE 3, 2014

Signature:

*Daniel P. Hartness*

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

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**PATENT**  
**REEL: 033358 FRAME: 0346**

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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

**Title of  
Invention**

RAILCAR BALLAST DISTRIBUTING APPARATUS

As the below named inventor, I hereby declare that:

This declaration is directed to:  The attached application, or

United States application or PCT international application number \_\_\_\_\_  
filed on \_\_\_\_\_.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

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LEGAL NAME OF INVENTOR

Inventor: EDWARD A BURRIS Date (Optional): JUNE 3, 2014

Signature: 

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PATENT**  
**REEL: 033358 FRAME: 0347**

*EA*

GOUGH  
SHANAHAN  
JOHNSON  
& WATERMAN  
ATTORNEYS AT LAW PLLP

June 4, 2014

United States Patent and Trademark Office  
Assignment Recordation Branch  
P. O. Box 1450  
Alexandria, VA 22313


Re: Inventor: Andrew J. Spurlock, et al.  
Invention: Railcar Ballast Distributing Apparatus  
Attorney Docket: 67146-012

Dear Sir or Madam:

Enclosed is a check for \$40.00 for payment of the recordation of the assignment document. Also enclosed are copies of the related assignment documents for your reference, and a copy of your notice of amount due. Please accept our apologies for this oversight.

Sincerely,

GOUGH, SHANAHAN, JOHNSON & WATERMAN, PLLP



Julie Steab  
Legal Assistant to WILLIAM L. MACBRIDE, JR.

Enclosures

HELENA BILLINGS MISSOULA  
33 S LAST CHANCE GULCH HELENA MT 59601  
P 406.442.8560 F 406.442.8783 www.gsjw.com

RECORDED: 07/18/2014

PATENT  
REEL: 033358 FRAME: 0348