

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT5956044

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
MARCO BOROTTO	11/10/2016
MARCO LETIZIA	11/10/2016
RECEIVING PARTY DATA	
Name:	ECOLE POLYTECHNIQUE FEDERALE DE LAUSANNE (EPFL)
Street Address:	EPFL INNOVATION PARK C
Internal Address:	EPFL-TTO
City:	LAUSANNE
State/Country:	SWITZERLAND
Postal Code:	1015
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	15310110
CORRESPONDENCE DATA	
Fax Number:	
<i>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.</i>	
Phone:	6469326147
Email:	nschibli@andreroland.com
Correspondent Name:	NIKOLAUS SCHIBLI
Address Line 1:	CHEMIN DES CHARMETTES 9
Address Line 2:	ANDRE ROLAND S.A.
Address Line 4:	LAUSANNE, VD, SWITZERLAND 1003
ATTORNEY DOCKET NUMBER:	P2728US00
NAME OF SUBMITTER:	NIKOLAUS SCHIBLI
SIGNATURE:	/Nikolaus Schibli/
DATE SIGNED:	02/11/2020
Total Attachments: 10	
source=P2728US00_Statement_Ownership#page1.tif	
source=P2728US00_Statement_Ownership#page2.tif	
source=Article_36_CC_414_110#page1.tif	

source=Article_36_CC_414_110#page2.tif
source=Article_36_CC_414_110#page3.tif
source=Article_332_CO#page1.tif
source=Article_332_CO#page2.tif
source=Article_332_CO#page3.tif
source=Article_332_CO#page4.tif
source=Article_332_CO#page5.tif

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: : CONF. NO. 4635
Marco BOROTTO et al. : ART UNIT: 3732
SERIAL NO: 15/310,110 : EXAMINER: Matthew M NELSON
FILING DATE: November 10, 2016 :
FOR: Capacitive Sensor Array for Dental
Occlusion Monitoring

STATEMENT OF OWNERSHIP UNDER M.P.E.P. § 409.05

Sir:

This is a legal memorandum and statement to show ownership of the Applicant ECOLE POLYTECHNIQUE FEDERALE DE LAUSANNE (“EPFL”) by the obligation of the two (2) inventors to assign the invention identified by the above-identified patent application, under M.P.E.P. § 409.05. See 37 C.F.R. § 1.46(a).

In the Application Data Sheet (“ADS”) that was filed with the above-identified patent application on November 10, 2016, the EPFL has been named as the Applicant, being a legal person to whom the inventors are obligated to assign. All of these two (2) inventors, Marco Borotto and Marco Letizia, at the time the above-identified patent application was made, were employees of the EPFL, being a University in Switzerland and an entity of the government of Switzerland. Moreover, the above-identified invention was a result of their performance of their contractual obligations as employees. Under Swiss Law, under Article 332 of the Swiss Code of Obligations (Art. 332 CO), the inventions produced by the employee in the course of his work for the employer and in performance of his contractual obligations belong to the employer. In addition, Article 36 of the Federal Act on the Federal Institutes of Technology of October 4, 1991 (Art. 36 CC 414.110), the EPFL being such

Federal Institute of Technology, sets forth that patents rights created during the official duties of persons in an employment relationship shall belong to the EPFL. Copies of Art. 332 CO and Art. 36 CC 414.110 in English are herewith submitted. See also Decision 4A_691/2011, Federal Supreme Court of Switzerland, Nov. 6, 2012.

In light of the above facts, a court of competent jurisdiction in Switzerland would by the weight of authority in that jurisdiction award title of the invention to the Applicant EPFL as defined under 37 C.F.R. § 1.46(a). M.P.E.P. § 409.05 - II. Recordation of the EPFL as the Assignee of record at the Electronic Patent Assignment System (EPAS) is therefore respectfully requested.

Respectfully submitted,

Laurence Naudeix, Lic. Iur.

/Laurence Naudeix/

Solicitor under Swiss Law

Nikolaus Schibli, Ph.D.

/Nikolaus Schibli/

U.S. Patent Attorney
Reg. No. 56,994

Date: February 11, 2020

André Roland S.A.
USPTO Customer No. 136,839
nschibli@andreroland.com
Tel.: 571.480.6932



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



Start > Federal law > Classified compilation > Internal laws > 414.110 Federal Act of 4 October 1991 on the Federal Institutes of Technology (ETH Act)

Art. 36¹ Intellectual property rights

¹ With the exception of copyright, all other rights to intellectual property created during the official duties of persons in an employment relationship as defined in Article 17 shall belong to the two federal institutes of technology and the four research institutes within the ETH Domain.

² The exclusive right to use computer programs created by persons in the course of their official duties in an employment relationship as defined in Article 17 shall rest solely with the two federal institutes of technology and the four research institutes within the ETH Domain. The two federal institutes of technology and the four research institutes within the ETH Domain may enter into binding arrangements with the holders of other categories of copyright for the assignment of those rights.

³ Persons who have created intellectual property as defined in paragraphs 1 and 2 shall be entitled to an adequate share in profits generated by its exploitation.

⁴ The ETH Board shall issue implementing provisions in an ordinance; it shall require the approval of the Federal Council.

¹ Amended by No. I of the FA of 21 March 2003, in force since 1 Jan. 2004 (AS 2003 4265; BBl 2002 3465).

Additional informations

This text is in force.

Decision	4 October 1991
In force	1 February 1993

All versions of this law

⌘	01.05.2017	PDF
⌘	01.02.2017	
⌘	01.01.2015	
⌘	01.07.2013	
⌘	15.02.2013	
⌘	01.01.2013	
⌘	15.11.2011	
⌘	01.03.2010	
⌘	01.08.2008	
⌘	01.12.2007	
⌘	01.01.2007	
⌘	01.01.2006	
⌘	01.01.2004	
⌘	01.03.1993	
⌘	01.02.1993	

All editions of this law

01.02.1993

Federal Act of 4 October 1991 on the Federal Institutes
of Technology (ETH Act)

For comments and observations: Official Publications Centre
Last update: 18.05.2019



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



Start > Federal law > Classified compilation > Internal laws > 220 Federal Act of 30 March 1911 on the Amendment of the Swiss Civil Code (Part Five: The Code of Obligations)

Art. 332¹E. Right to inventions and designs

E. Right to inventions and designs

¹ Inventions and designs produced by the employee alone or in collaboration with others in the course of his work for the employer and in performance of his contractual obligations belong to the employer, whether or not they may be protected.

² By written agreement, the employer may reserve the right to acquire inventions and designs produced by the employee in the course of his work for the employer but not in performance of his contractual obligations.

³ An employee who produces an invention or design covered by paragraph 2 must notify the employer thereof in writing; the employer must inform the employee within six months if he wishes to acquire the invention or design or release it to the employee.

⁴ Where it is not released to the employee, the employer must pay him separate, appropriate remuneration to be determined with due regard to all pertinent circumstances and in particular the economic value of the invention or design, the degree to which the employer contributed, any reliance on other staff and on the employer's facilities, the expenses incurred by the employee and his position in the company.

¹ Amended by Annex No II to the FA of 5 Oct. 2001 on the Protection of Designs, in force since 1 July 2002 (AS 2002 1456; BBl 2000 2729).

Additional informations

This text is in force.

Decision	30 March 1911
In force	1 January 1912

All versions of this law

⌘	01.01.2020	
⌘	01.04.2017	PDF
⌘	01.01.2017	
⌘	01.07.2016	
⌘	01.01.2016	
⌘	01.07.2015	
⌘	01.07.2014	
⌘	01.01.2014	
⌘	28.05.2013	
⌘	01.01.2013	
⌘	01.10.2012	
⌘	01.03.2012	
⌘	01.01.2012	
⌘	01.01.2011	
⌘	01.01.2010	
⌘	01.10.2009	
⌘	01.08.2008	
⌘	01.01.2008	
⌘	01.05.2007	
⌘	01.01.2007	
⌘	01.04.2006	
⌘	01.01.2006	
⌘	01.12.2005	

⌘ 01.07.2005

⌘ 01.06.2005

⌘ 01.01.2005

⌘ 01.07.2004

⌘ 01.05.2004

⌘ 01.01.2004

⌘ 01.06.2003

⌘ 01.04.2003

⌘ 01.01.2003

⌘ 01.07.2002

⌘ 01.06.2002

⌘ 01.06.2001

⌘ 01.05.2001

⌘ 01.01.2001

⌘ 01.05.2000

⌘ 01.04.2000

⌘ 01.01.2000

⌘ 01.05.1999

⌘ 01.01.1997

⌘ 01.10.1996

⌘ 01.07.1996

⌘ 01.01.1996

⌘ 01.01.1995

⌘ 01.05.1994

⌘ 01.01.1994

⌘ 01.07.1993

⌘ 01.07.1992

⌘ 01.07.1991

⌘ 01.01.1991

⌘ 01.07.1990

⌘ 01.01.1989

⌘ 01.04.1988

⌘ 01.01.1988

⌘ 20.10.1986

⌘ 01.06.1985

⌘ 01.01.1985

⌘ 01.07.1984

⌘ 01.01.1984

⌘ 01.04.1983

⌘ 01.01.1983

⌘ 01.01.1977

⌘ 01.07.1976

⌘ 15.02.1973

⌘ 01.07.1972

⌘ 01.01.1972

⌘ 19.12.1970

⌘ 01.02.1966

⌘ 01.07.1965

⌘ 15.04.1965

⌘ 01.01.1963

⌘ 01.07.1958

⌘ 01.01.1957

⌘ 01.01.1953

⌘ 01.01.1950

⌘ 20.10.1949

⌘ 01.01.1947

⌘ 01.03.1945

⌘ 09.07.1942

⌘ 01.07.1942

⌘ 01.07.1937

⌘ 01.01.1912

All editions of this law

01.01.1912

Federal Act of 30 March 1911 on the Amendment of the
Swiss Civil Code (Part Five: The Code of Obligations)

For comments and observations: Official Publications Centre
Last update: 04.05.2019