

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT6642730

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	ASSIGNMENT	
CONVEYING PARTY DATA		
	Name	Execution Date
	RICK BRIGGS	10/29/2014
RECEIVING PARTY DATA		
Name:	WHITEWATER WEST INDUSTRIES, LTD.	
Street Address:	180-6651 FRASERWOOD PLACE	
City:	RICHMOND, BRITISH COLUMBIA	
State/Country:	CANADA	
Postal Code:	V6W 1J3	
PROPERTY NUMBERS Total: 1		
	Property Type	Number
	Application Number:	15707974
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:	9497601121	
Email:	ipdocket@buchalter.com	
Correspondent Name:	KARI L. BARNES	
Address Line 1:	18400 VON KARMAN AVE., 8TH FLOOR	
Address Line 4:	IRVINE, CALIFORNIA 92612	
ATTORNEY DOCKET NUMBER:	W4959-0173	
NAME OF SUBMITTER:	KARI L. BARNES	
SIGNATURE:	/Kari L. Barnes/	
DATE SIGNED:	04/06/2021	
Total Attachments: 24		
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INTELLECTUAL PROPERTY ASSIGNMENT AND SUPPORT AGREEMENT

THIS AGREEMENT dated effective as of October 29, 2014 (the "Effective Date")

BETWEEN:

APPTIVATIONS LLC, a limited liability company that once was incorporated under the laws of the State of Utah in the United States of America with a business address at 195 Walden Way, Wakefield, State of Rhode Island and Providence Plantations 02879, United States of America

("Apptivations")

AND:

RICK BRIGGS, a citizen of the United States of America and having an address at 64 Maple Grove, Springfield, State of Illinois 60601, United States of America

("Briggs")

AND:

DENISE CHAPMAN WESTON, a citizen of the United States of America and having an address at 195 Walden Way, Wakefield, State of Rhode Island and Providence Plantations 02879, United States of America

("Weston" and collectively with Apptivations and Briggs, the "Sellers")

AND:

WHITEWATER WEST INDUSTRIES LTD., a corporation incorporated under the laws of British Columbia with a business address of 6700 McMillan Way, Richmond, British Columbia, V6W 1J7, Canada

("WhiteWater")

REDACTED

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained in this Agreement, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties hereby agree as follows:

ARTICLE 1 – DEFINITIONS

1.1 **Definitions.** In this Agreement (including any Schedules), the following terms have the following definitions:

- (a) **“Apptraction Technology”** means the technologies relating to wet or dry attractions which interface with software, such as mobile applications, for installation on phones, laptop/notebooks, tablets, or other mobile devices, that have been created, invented, conceived, and/or reduced to practice by Briggs or Weston or jointly by them;
- (b) **“Assets”** means: (i) the Patent Assets; and (ii) any other technologies of the Sellers incorporating, utilizing, or based on the Technologies, including, without limitation, all information and work product related to, connected with, and/or ancillary to such technologies that was created, invented, developed, conceived, and/or reduced to practice by Briggs, Weston, or any other employees and contractors of Apptivations, including, without limitation, all inventions, concepts, formulae, databases, know-how, trade secrets, methods, processes, data files, documentation, flow charts, diagrams, engineering drawings, specifications, other documentation and reasonably related notes, comments, and memoranda, physical media containing any of the foregoing, and all versions thereof, whether stored, encoded, recorded, or written on any type of media, but, for greater certainty, such other technologies exclude any Excluded Technology;

REDACTED

- (d) **“Excluded Technology”** means the attractions known as the “The Longings” and “The Memory Machine” that were created, invented, conceived, and reduced to practice by Denise Chapman Weston;

REDACTED

- (g) **“Improvements”** mean any modifications, alterations, enhancements, improvements or other changes to the Technologies, whether capable of being protected by Intellectual Property Rights or otherwise, created, invented, developed, conceived, and/or reduced to practice after the Effective Date by Briggs, Weston, or any other

employees or contractors of Appativations;

REDACTED

- (i) **"Integrated Applications Technology"** means mobile software applications and other software for mobile devices that (i) constitute an aspect of a larger package of waterslide related products; and (ii) have been created, invented, conceived, and/or reduced to practice by Briggs or Weston or jointly by them, but, for greater certainty, the term "Integrated Applications Technology" excludes any mobile software applications and other software that would be considered Slideboarding Technology;
- (j) **"Intellectual Property Rights"** means any and all proprietary rights provided under (i) patent law, (ii) copyright law, (iii) trademark law, (iv) design patent or industrial design law, (v) semi-conductor chip or mask work law, or (vi) any other applicable statutory provision or common law principle, including trade secret law, that may provide a right in ideas, formulae, algorithms, concepts, inventions, software, or know-how, or the expression or use thereof and including the right to file applications for registration of or for obtaining any of the foregoing anywhere in the world;

REDACTED

- (i) **"Patent Assets"** means:
 - (i) the Filed Applications and all inventions and improvements described, disclosed and/or claimed in the Filed Applications;
 - (ii) all patent applications based on or corresponding to the Filed Applications, whether in the form of improvements, divisions, divisionals, continuations, continuations-in-part, re-examinations, re-issues, extensions, or otherwise;
 - (iii) any additional patent applications claiming any part of the inventions and improvements described, disclosed, and/or claimed in the patent applications described in (i) and (ii) above, and/or that is based on or claims priority to such applications;
 - (iv) the rights to claim priority to and to file counterparts to the patent applications described in (i) to (iii) above or any patent application claiming priority to such applications in all countries and regions; and
 - (v) any letters patent and similar grant or registration that may issue, be granted, or result from the patent applications described in (i) to (iv) above;

REDACTED

REDACTED

- (q) **"Slideboarding"** means the integration of gaming into waterslides through the incorporation of interactive elements in the waterslides and/or slide vehicles, which integration may include the use of systems that adapt or modify the sliding experience for each slide rider, controllers embedded in slide vehicles, interactive tracking systems, and/or technologies to connect a guest's experience to his/her home experience using unique identifiers or software applications;
- (r) **"Slideboarding Technology"** means the technologies for incorporating Slideboarding into waterslides, that have been created, invented, conceived, and/or reduced to practice by Briggs or Weston or jointly by them; and
- (s) **"Technologies"** means the Slideboarding Technology, the Apptraction Technology, and the Integrated Applications Technology, but, for greater certainty, the term "Technologies" excludes any Excluded Technology.

Other terms used in this Agreement are defined when first used and identified in quotation marks.

ARTICLE 2- ASSIGNMENT AND CONFIDENTIALITY

2.1 **Assignment by the Sellers.** The Sellers hereby sell, assign, and otherwise transfer to WhiteWater all of their rights, title, and interests, including, without limitation, all Intellectual Property Rights, in and to:

- (a) all of the Assets; and
- (b) all past, present, and future causes of action, rights of recovery, and claims for damage, accounting for profits, royalties, or other relief relating, referring, or pertaining to the Assets, whether arising prior to or subsequent to the Effective Date, and any and all renewals and extensions thereof that may be secured under the laws of the applicable jurisdiction after the Effective Date

(collectively, the "Assignment").

REDACTED

REDACTED

- 2.3 **Improvements.** The Sellers acknowledge and agree that WhiteWater is the owner of all rights, title, and interests, including all Intellectual Property Rights, in and to the Improvements. Upon the creation, development, conception, or reduction to practice of an Improvement, the Sellers will immediately notify WhiteWater in writing. The Sellers hereby assign, will assign, and will cause the employees and contractors of Apptivations to assign, all rights, title, and interests, including all Intellectual Property Rights, in and to the Improvements to WhiteWater and to waive all moral rights associated with the Improvements, such assignment and waiver effective as of the creation, development, conception, and reduction to practice of such Improvements (the "**Improvement Assignment**"). With respect to any Improvements, the Sellers covenant that:

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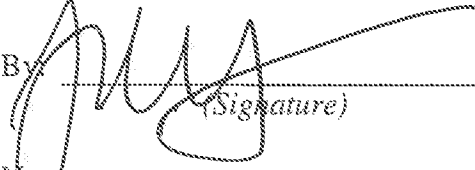
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IN WITNESS WHEREOF, the Parties hereto have executed this Agreement with effect as of the Effective Date.

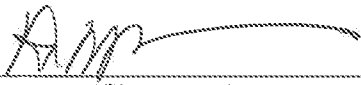
APPTIVATIONS LLC

By: _____
(Signature)
Name:
Title:

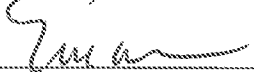
WHITEWATER WEST INDUSTRIES LTD.

By: _____
(Signature)
Name: G.P. CHOTTON
Title: Pres & CEO

RICK BRIGGS

By: _____
(Signature)

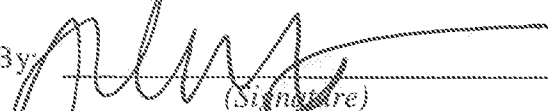
Signed by **RICK BRIGGS** in the presence of a witness:

Witness
Signature: _____
(Signature)

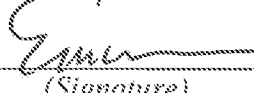
Witness
Name: E. MICHAEL HEAVEN

Witness
Address: 3939 BROCKTON PL
N. VANCOUVER, BC
V7G 2E7

DENISE CHAPMAN WESTON

By: _____
(Signature)

Signed by **DENISE CHAPMAN WESTON** in the presence of a witness:

Witness
Signature: _____
(Signature)

Witness
Name: E. MICHAEL HEAVEN

Witness
Address: 3939 BROCKTON PL
N. VANCOUVER, BC
V7G 2E7

SCHEDULE A

Patent Applications

	Title	Jurisdiction	Application No.	Filing Date
1)	Water Ride Attraction Incorporating Rider Skill and Agility	U.S.	14/077,038	November 11, 2013
2)	Water Ride Attraction Incorporating Rider Skill and Agility	U.S.	61/724,849	November 9, 2012
3)	Water Ride Attraction Incorporating Rider Skill	PCT	PCT/US2013/069516	November 11, 2013
4)	Illuminated Waterslide System and Method for Incorporating Rider Skill or Reflexes	U.S.	61/906,329	November 19, 2013
5)	Illumination Waterslide System and Method	U.S.	61/903,863	November 13, 2013
6)	Adaptive Velocity Control System and Method	U.S.	To be filed	To be filed
7)	Interactive Entertainment Using a Mobile Device with Object Tagging and/or Hyperlinking	U.S.	13/269,805	October 10, 2011
8)	Interactive Entertainment Using a Mobile Device with Object Tagging and/or Hyperlinking	U.S.	61/468,768	March 29, 2011
9)	Mobile Device Game with Live Interaction	U.S.	61/436,204	January 26, 2011
10)	Interactive Play Center	U.S.	61/884,876	September 30, 2013
11)	Interactive Play Center	U.S.	14/502,812	September 30, 2014
12)	Interactive Play Center	Canada	Not yet assigned	September 30, 2014
13)	Left intentionally blank			
14)	Left intentionally blank			
15)	Left intentionally blank			
16)	Mobile Application for an	U.S.	61/724,853	November 9, 2012

	Title	Jurisdiction	Application No.	Filing Date
	Amusement Park or Waterpark			
17)	Mobile Application for an Amusement Park or Waterpark	U.S.	14/077,009	November 11, 2013
18)	Mobile Application for an Amusement Park or Waterpark	PCT	PCT/US2013/069519	November 11, 2013

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RECORDED: 04/06/2021

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