

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

Assignment ID: PAT119701

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT OF ASSIGNORS INTEREST
CONVEYING PARTY DATA	
Name	Execution Date
ROBERT L. PRYOR, ESQ., AS THE CHAPTER 7 TRUSTEE OF THE BANKRUPTCY ESTATE OF DAVID DEAK, SR.	07/15/2019
RECEIVING PARTY DATA	
Company Name:	PEAK VENTURES, INC.
Street Address:	4 SAGAPONACK CT.
Internal Address:	PO BOX 229
City:	SAGAPONACK
State/Country:	NEW YORK
Postal Code:	11962
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	17237974
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:	(617542-6000
Email:	WHTHOMSON@MINTZ.COM
Correspondent Name:	Mintz Levin
Address Line 1:	One Financial Center
Address Line 4:	BOSTON, MASSACHUSETTS 02111
ATTORNEY DOCKET NUMBER:	056251-501R01US
NAME OF SUBMITTER:	Whitney Thomson
SIGNATURE:	Whitney Thomson
DATE SIGNED:	02/12/2024
Total Attachments: 15	
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TRUSTEE'S ASSIGNMENT OF INTELLECTUAL PROPERTY

I, **Robert L. Pryor, Esq.**, as the Chapter 7 Trustee (“the Assignor”) of the bankruptcy estate (the “Estate”) of **David Deak, Sr.** (the “Debtor”), in Case No. 18-73832 (AST), as administered by the United States Bankruptcy Court for the Eastern District of New York, and pursuant to that certain *Order Approving Sale of Debtor’s Intellectual Property* [Docket No. 61] (the “Sale Order”), a copy of which is attached hereto as Exhibit A, as and for and in consideration of the sum of two hundred seventy five thousand dollars (\$275,000.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby assign, sell, transfer, convey and deliver to **Peak Ventures, Inc.**, a New York corporation (the “Buyer” or “Assignee”), its successors, assigns and legal representatives, for its and their own use and benefit, forever, the Estate’s right, title and interest in and to the Intellectual Property listed in Exhibit B hereto attached, “**AS IS**” “**WHERE IS,**” “**WITH ALL FAULTS,**” without any representations, covenants, guarantees or warranties of any kind or nature whatsoever, and free and clear of any and all liens, claims, encumbrances and interests of whatever kind or nature pursuant to the Sale Order.

I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into by the Trustee that would conflict with this assignment.

The Assignor and the Assignee hereby agree to extend the time period within which to close this transaction pursuant to the Sale Order to the date hereof.

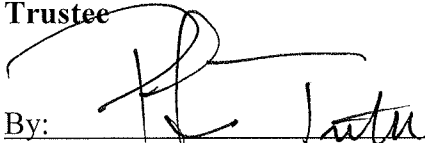
This Assignment of Intellectual Property (“Assignment”) may be executed in counterparts, each of which shall constitute an original, but all of which when taken together shall constitute a single contract. Delivery of an executed counterpart of a signature page of this Assignment by electronic transmission shall be effective as delivery of a manually executed counterpart of this Assignment.

IN WITNESS WHEREOF, I, Robert L. Pryor, Esq., as the Chapter 7 Trustee of the estate of David Deak, Sr. have executed this Assignment in favor of the Assignee, as of the 16th day of July, 2019.

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Assignor's Signature:


Trustee

By: 

Robert L. Pryor, as Trustee of
the estate of David Deak, Sr.,
and not individually

7/15/19
Date

Witnessed by:



Signature

7/15/19
Date

Anthony Gmliano
Print Name

Witnessed by:



Signature

7/15/19
Date

J. Layan Rappaport
Print Name

Assignee's Signature:

Peak Ventures, Inc.

By:  _____

Name: Lawrence Richenstein

Title: Owner and President

7/11/19
Date

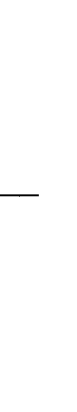
Witnessed by:

 _____
Signature

7/11/19
Date

Lisa Silverman
Print Name

Witnessed by:

 _____
Signature

7/11/19
Date

Mindy Richenstein
Print Name

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

DAVID DEAK, SR.

Chapter 7

Debtor.

Case No. 18-73832-AST

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ORDER APPROVING SALE OF DEBTOR'S INTELLECTUAL PROPERTY

UPON the motion ("Motion")¹ [Dkt No. 52], of Robert L. Pryor, Esq., the Chapter 7 Trustee (the "Trustee") of the above-captioned debtor (the "Debtor") seeking entry of an order of this Court, *inter alia*, authorizing and approving the auction sale of the Debtor's Intellectual Property (the "Auction Sale") as defined in the Motion, free and clear of all liens, claims, encumbrances and interests; and the Court having entered an order (the "Sale Authorization Order") entered May 24, 2019, : (A) authorizing the Trustee to sell the Estate's right, title and interest in and to the Debtor's Intellectual Property (as more particularly defined in the Motion), free and clear of all claims, liens, encumbrances and interest; (B) approving the Sale and Bid Procedures and bid protections, including break-up fee; and (C) approving the form of Sale Order; and (D) directing the Debtor to turn over property of the Estate and waiving the requirements of Rule 6004(a) to the Federal Rules of Bankruptcy Procedure with respect to the sale of the Intellectual Property [Dkt No.56]; and, in accordance with the Sale Authorization Order and approved Sale and Bid Procedures, the Trustee obtained a qualified bid from the stalking horse bidder (the "Stalking Horse Bidder") which was the only bid received making the Stalking Horse Bidder the successful bidder (the "Successful Bidder") for the Intellectual

¹ All capitalized terms used but not defined herein shall have the meaning ascribed to them in the Motion.

Property; and the Auctioneer retained by order of this Court [Dkt No. 40] who conducted the marketing and sale process, including conducting the Auction, having filed an affidavit in support of approval of the Auction sale filed June 26, 2019 [Dkt. No.60]; and the Court having conducted a hearing on June 26, 2019 (the "Sale Hearing") to confirm the results of the Auction Sale whereat the Court stated its findings of fact and conclusions of law on the record at the conclusion of the Sale Hearing in accordance with Bankruptcy Rule 7052, including finding that the Auction sale was in the best interest of the Debtor's estate, and represents the highest and best value available for the assets to be sold after a fair and open bidding process; and that the Successful Bidder is a purchaser in "good faith" and is entitled to the protection of 11 U.S.C. § 363(m) and this Court having determined that it has jurisdiction over the Motion as a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A), (M), (N) and (O), and 1334(b), and the Standing Orders of Reference in effect in the Eastern District of New York dated August 28, 1986, and as amended on December 5, 2012, but made effective *nunc pro tunc* as of June 23, 2011; and it appearing that sufficient cause exists to grant the motion and approve the results of the Auction Sale; and it appearing that notice of the Motion and the Auction Sale was proper and sufficient, and no further notice for the Motion, the Auction Sale, or the Sales Hearing being necessary or required, and good and sufficient cause having been shown; it is hereby

ORDERED, that the results of the Auction Sale is approved and the Motion is granted as set forth herein; and it is further

ORDERED, that subject to the terms of this order, the Trustee is authorized to sell the Intellectual Property, free and clear of all liens, claims, encumbrances and interests of any kind or nature including, but not limited to, licenses, sales agreements (conditional or otherwise), options, judgments, offsets, rights of recovery, rights of set-off, rights of first refusal,

other third party rights including claims of title, restrictions on transfer, tax claims of any kind or nature and any claim based on any theory that the Successful Bidder is a successor, successor in interest, continuation of the Debtor, the Debtor's business, the Chapter 7 Trustee or the Chapter 7 estate, (collectively, the "Liens") with those Liens to attach to the net proceeds of the sale in the same priority and validity, if any, as existed as of the Petition Date, after the payment of certain expenses including, but not limited to, Auctioneer commissions; and it is further

ORDERED, that the Trustee shall close the sale to the Successful Bidder within fourteen (14) days of the entry of this order or, in his reasonable judgment within that time, the Trustee, may refuse to close the sale if it is determined that consummation of the sale would not be in the best interest of the Debtor's estate provided that in such event the Trustee shall give the Successful Bidder notice of such determination and the Successful Bidder may either elect not to close or file an objection to such determination with five business days of receipt of such notice (the "Objection"); and it is further

ORDERED, that the time period set forth in the foregoing paragraph may be extended as follows: (a) the fourteen (14) day period in the Trustee's sole discretion may be extended for a period of thirty (30) days of the entry of this order (b) in the event such an objection is filed, until such time such objection is resolved by final order of the Court or withdrawn by the Successful Bidder; or (c) by written agreement of the Trustee and Successful Bidder; and it is further


ORDERED, that if a Successful Bidder is unable to close for any reason or defaults in any way (the filing of an Objection will not constitute such a default in inability to close) , the Trustee is authorized to sell the Intellectual Property to the Backup Bidder, if such Backup Bidder exists, free and clear of all Liens with such Liens, if any, to attach to the net

proceeds of the sale in the same priority and validity as existed as of the Petition Date, after the payment of certain expenses including, but not limited to, Auctioneer commissions, and the Successful Bidder shall forfeit the Deposit as liquidated damages; and it is further

ORDERED, that the Trustee is authorized to do such things, execute such documents, and expend such funds as may be necessary to consummate the sale or otherwise effectuate the terms and conditions of this order.

Dated: June 27, 2019
Central Islip, New York





Alan S. Trust
United States Bankruptcy Judge

EXHIBIT B

INTELLECTUAL PROPERTY

A. U.S. Patents

- i. U.S. Patent No. 9,343,931 entitled "*Electrical Generator with Rotational Gaussian Surface Magnet and Stationary Coil*", filed February 25, 2013 and Issued May 17, 2016.
- ii. U.S. Patent No. 9,543,817 entitled "*Hollow Magnetic Metal Core Pulse Energy Harvesting Generator*", filed May 19, 2015 and Issued on January 10, 2017.
- iii. U.S. Patent No. 9,923,443 entitled "*Hollow Magnetic Metal Core Pulse Energy Harvesting Generator*", filed Nov. 29, 2016 and Issued on Mar. 20., 2018.
- iv. U.S. Patent No. 9,673,683 entitled "*Reciprocating Magnet Electrical Generator*", filed Nov. 7, 2014 and Issued on Jun. 6, 2017.
- v. U.S. Patent No. 9,843,248 entitled "*Rocker Action Electric Generator*", filed Jun. 4, 2015 and Issued on Dec. 12, 2017.
- vi. U.S. Patent No. 9,030,108 entitled "*Gaussian Surface Lens Quantum Photon Converter and Methods of Controlling LED Colour and Intensity*", filed May 7, 2012 and issued on May 12, 2015.

B. Pending Non-Provisional Applications

i. Publication No. 2016/0204665 - U.S. Patent Application Serial No. 15/074,551, entitled "*Electrical Generator with Rotational Gaussian Surface Magnet and Stationary Coil*", filed Mar. 18, 2016 as a Divisional of U.S. Application No. 13/775,461, now US Patent No. 9,343,931, currently pending

ii. Publication No. 2017/0346377 - U.S. Patent Application Serial No. 15/602,167, entitled "*Tangentially Actuated Electrical Generator*", filed May 23, 2017, currently pending.

iii. Publication No. 2018/0145561 - U.S. Patent Application Serial No. 15/358,625, entitled "*Rotationally Activated Generator*", filed Nov. 22, 2016, office action dated July 25, 2018, response due by December 25, 2018 with 2 month extension of time.

iv. Not yet Published - U.S. Serial No. 16/173,341 filed on Oct. 29, 2018, entitled "*Magnetic Momentum Transfer Generator*", currently pending - This is the non-provisional utility application filed from previously pending provisional application No. 62/578,612 filed on Oct. 30, 2017.

C. Abandoned Applications

i. U.S. Publication No. 2004/0174287 – U.S. Application Serial No. 10/718,308 filed Nov. 20, 2003, entitled "*Self-Contained Switch*".

ii. U.S. Publication No. 2008/0048506 – U.S. Application Serial No. 11/890,112 filed Aug. 3, 2007, entitled "*Electromotive Device*".

iii. U.S. Publication No. 2009/0268461 – U.S. Application Serial No. 12/150,528 filed on Apr. 28, 2008, entitled "*Photon Energy Conversion Structure*".

iv. U.S. Publication No. 2014/0241525 – U.S. Application Serial No. 13/775,127 filed on Feb. 23, 2013, entitled "*Random Number Generator Based on Wireless Transmission Encoding Control Methodology*".

v. U.S. Publication No. 2017/0338385 – U.S. Application Serial No. 14/657,149 filed on Mar. 13, 2015, entitled "*Gaussian Surface Lens Quantum Photon Converter and Methods of Controlling LED Colour and Intensity*".

D. Foreign

i. European Patent No. 2834907 entitled "*An Electrical Generator with Rotational Gaussian Surface Magnet and Stationary Coil*" – Filed from PCT/US2013/027706, filed on Feb. 26, 2013.

ii. European Patent No. 3215726 entitled "*Reciprocating Magnet Electrical Generator*" – Filed from PCT/US2015/067669 filed Dec. 28, 2015.

iii. International Application No. PCT/US2018/57957, entitled "*Magnetic Momentum Transfer Generator*" filed on October 29, 2018 claiming priority from U.S. Provisional Application Serial No. 62/578,612 filed on Oct. 30, 2017.

E. Other Intellectual Property

Any and all mechanical parts and components, electrical parts and components, prototypes, CAD drawings, notebooks, handwritten notes, drawings or schematics, designs, specifications, videos, computer programs, computer files, software, graphs, test equipment, test apparatus, product brochures, discoveries, inventions, patents, patent applications, trademarks, copyrights, records, data, facts, knowledge, trade secrets, devices, formulas, methods, processes, techniques, shoprights, and/or other technology in any way relating to the intellectual property set forth in Sections A-D above of this Exhibit A, including without limitation, any and all abandoned, expired, unpublished or draft patent applications or invention disclosures concerning energy harvesting technology and any and all SAFA9 series or SAFA9-OEMG devices or prototypes (also known as The Sugar Cube), KAPRION devices or prototypes, KAPBOX devices or prototypes, KAPTRAP devices or prototypes, KAP360 devices or prototypes, NexGen double-oscillating unit device or prototypes and any components or partially-built versions of any of such devices or prototypes.