

07-14-1998

Attorney Docket No. 17814-6.101

FORM PTO-1595  
(Rev. 6-93)



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

100762628

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Robert L. Packer  
Brett D. Galloway

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

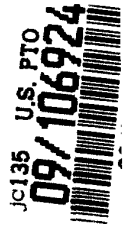
2. Name and address of receiving party(ies):

Name: Packeteer, Inc.

Internal Address: 10495 N. DeAnza Blvd.

Street Address: 10495 N. DeAnza Blvd.

City: Cupertino State: CA ZIP: 95014



3. Nature of conveyance:

Assignment  Merger

Security Agreement  Change of Name

Other:

Execution Date:

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

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

If this document is being filed together with a new application, the execution date of the application is: June 26, 1998

A. Patent Application entitled  
Method For Pacing Data Flow In A  
Packet-Based Network

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Kenneth R. Allen  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(650) 326-2400

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41):..... \$ 40.00

Enclosed  Charge Fees to Deposit Account

Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

8. Deposit account number: 20-1430 ✓

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Kenneth R. Allen Kenneth R. Allen 6/29/98  
Name of Person Signing Signature Date

Atty. Reg. No. 27,301 Total number of pages including cover sheet, attachments, and document:

10. Change Correspondence Address to that of Part 5?  Yes  No

OMB No. 0651-0011 (exp. 4/94)

PATENT

Mail documents to be recorded with required cover sheet information to:  
Asst. Commissioner for Patents

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9299 FRAME: 0544

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07/14/1998 JWH/TMS 09/106924 201430  
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01 FC:301

ASSIGNMENT

Robert L. Packer of 16095 Redwood Lodge Road, Los Gatos, California 95033 and Brett D. Galloway of 681 Stanfield Drive, Campbell, California 95008, hereinafter referred to as "ASSIGNOR," is a joint inventor of all rights to the Invention described in the below identified Application for United States Letters Patent:

Title of Invention:       METHOD FOR PACING DATA FLOW IN A PACKET-BASED NETWORK

Filing Date:             Herewith

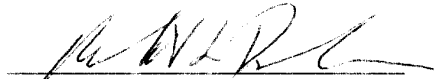
Serial No.:              Not Assigned

Packeteer, Inc. of 10495 N. DeAnza Blvd., Cupertino, California 95014 (a Delaware corporation), hereinafter referred to as "ASSIGNEE," is the other joint inventor of the Invention and wants to acquire all rights in the Invention and the Application and in any Letters Patent that may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, this Assignment is executed this 26 day of JUNE 1998.

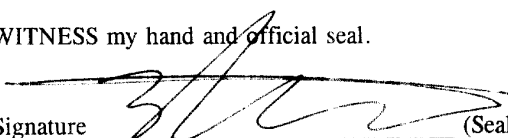
  
Robert L. Packer

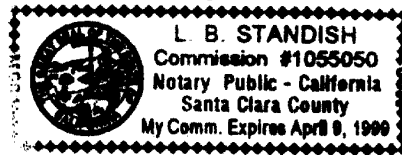
STATE OF California

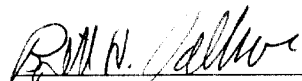
COUNTY OF Santa Clara

On 6-24-98, before me, L.B. STANDISH, a Notary Public, personally appeared Robert L. Packer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executes the instrument.

WITNESS my hand and official seal.

Signature  (Seal)



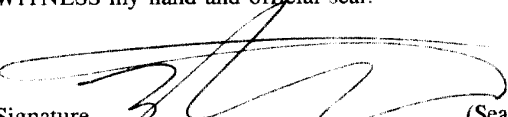
  
Brett D. Galloway

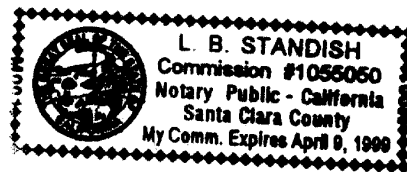
STATE OF California

COUNTY OF Santa Clara

On 6-26-98, before me, L.B. STANDISH, a Notary Public, personally appeared Brett D Galloway, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executes the instrument.

WITNESS my hand and official seal.

Signature  (Seal)



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