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Form PTO-1595

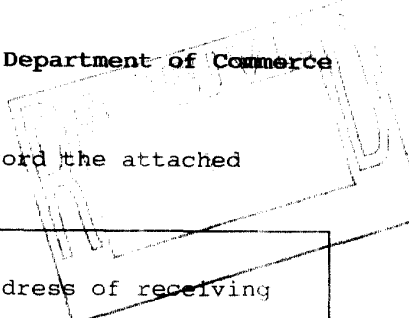
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7/14/98

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RECORDATION FORM COVER SHEET

ITS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.



<p>1. Name of conveying party(ies):</p> <p>a) <u>Peter B. Yocom</u> g) _____ b) <u>Catherine K. Eilert</u> h) _____ c) <u>John E. Arwe</u> i) _____ d) _____ j) _____ e) _____ k) _____ f) _____ l) _____</p> <p>More names attached? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: INTERNATIONAL BUSINESS MACHINES CORPORATION Address: New Orchard Road Armonk, NY 10504</p> <p>More names attached? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>
<p>3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment</p>	
<p>4. Application number: 09/038,573 Filed: March 11, 1998 Filed with new application: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> <p>Execution date(s):</p> <p>a) <u>June 26, 1998</u> g) _____ b) <u>June 26, 1998</u> h) _____ c) <u>June 29, 1998</u> i) _____ d) _____ j) _____ e) _____ k) _____ f) _____ l) _____</p> <p>Additional numbers attached? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: William A. Kinnaman, Jr. IBM Corporation - MS P386 Intellectual Property Law 522 South Road, Poughkeepsie NY 12601-5400</p>	<p>6. Total # of applications and patents involved: <u>01</u></p> <p>7. Total fee (37 CFR 3.41): \$ <u>40.00</u></p> <p>8. Charge to Deposit Account 09-0463. A duplicate copy is enclosed.</p>
<p>07/20/1998 BCGATES 00000040 090463 09038573 01 FC:581 40.00 CH DO NOT USE THIS SPACE</p>	
<p>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.</p> <p><u>Sandra L. Kilmer</u> <i>Sandra L. Kilmer</i> <u>7/9/98</u> Signature Date</p>	
<p>Total number of pages including cover sheet, attachments, and document: <u>3</u></p>	
<p>Express Mail Label No. (if applicable): _____ Docket No.: P0997163</p>	

PATENT

REEL: 9312 FRAME: 0124

A S S I G N M E N T

Whereas, we

- | | | |
|-----|---|--|
| (1) | PETER B. YOCOM
County of Dutchess | of Wappingers Falls
and New York |
| (2) | CATHERINE K. EILERT
County of Dutchess | of Wappingers Falls
and State of New York |

and

- | | | |
|-----|------------------------------------|--|
| (3) | JOHN E. ARWE
County of Dutchess | of Poughkeepsie
and State of New York |
|-----|------------------------------------|--|

have invented certain improvements in METHOD AND APPARATUS FOR CONTROLLING THE NUMBER OF SERVERS IN A MULTISYSTEM CLUSTER,

and executed a United States Patent Application therefor on

(1) June 26, 1998, (2) June 26, 1998, and (3) June 29, 1998.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York, 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and the invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patents granted upon the invention set forth in said application to IBM, its successors and assigns; and I hereby agree that IBM may apply for foreign Letters Patent on said invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed

(1) at Poughkeepsie, NY
on 6/26/98

Peter B. Yocom
Peter B. Yocom

(2) at Poughkeepsie, NY
on 6-26-98

Catherine K. Eilert
Catherine K. Eilert

(3) at Poughkeepsie, NY
on 6/29/98

John E. Arwe
John E. Arwe