

07-10-1998



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Document ID#   
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Reel #  Frame #   
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Conveyance Type

- ☒ Assignment ☐ Security Agreement  
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Conveying Party(ies)

- ☒ Mark if additional names of conveying parties attached  
Name (line 1)  MICHAEL MALCOLM  
Name (line 2)  N/A  
Execution Date  
Month Day Year  
May 8 1998

Second Party

- Name (line 1)  IAN TELFORD  
Name (line 2)  N/A  
Execution Date  
Month Day Year  
May 8 1998

Receiving Party

- ☐ Mark if additional names of receiving parties attached  
Name (line 1)  CACHEFLOW, INC.  
Name (line 2)  N/A  
Address (line 1)  3260 Hillview Avenue  
Address (line 2)  N/A  
Address (line 3)  Palo Alto  California  94062  
City State/Country Zip Code  
☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. Designation must be a separate document from Assignment.

Domestic Representative Name and Address

Enter for the first Receiving Party only.

- Name  Steven A. Swernofsky  
Address (line 1)  The Law Offices of Steven A. Swernofsky  
Address (line 2)  P.O. Box 390013  
Address (line 3)  Mountain View, CA 94040  
Address (line 4)  United States

07/09/1998 DWGUYEN 00000331 08959058

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40.00 DP

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231  
REEL: 9327 FRAME: 0482

**Correspondent Name and Address**

Area Code and Telephone Number

(650) 947-0700

Name

Steven A. Swernofsky

Address (line 1)

The Law Offices of Steven A. Swernofsky

Address (line 2)

P.O. Box 390013

Address (line 3)

Mountain View, CA 94040

Address (line 4)

United States

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

3

**Application Number(s) or Patent Number(s)**

☐

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

08/959,058

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved.

#

1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

\$40.00

Method of Payment:  
Deposit Account

Enclosed ☒

Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

500365

Authorization to charge additional fees:

Yes

☒

No

☐

**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. Charges to deposit account are authorized, as indicated herein.

Steven A. Swernofsky

Name of Person Signing

Signature

June 23, 1998

Date

PATENT

REEL: 9327 FRAME: 0483


**ASSIGNMENT**


WHEREAS, we, MICHAEL MALCOLM, a citizen of the United States, residing at 250 Family Farm Road, Woodside, California 94062, United States, and IAN TELFORD, a citizen of Canada, residing at 72 John Street East, Waterloo, Ontario N2J 1G1, Canada, have invented an "ADAPTIVE ACTIVE CACHE REFRESH" for which we have executed application papers for a U.S. patent thereon, which was filed on October 28, 1997, Serial No. 08/959,058; and

WHEREAS, CACHEFLOW, INC., a California corporation, having a place of business at 3260 Hillview Avenue, Palo Alto, California 94062, United States, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, MICHAEL MALCOLM and IAN TELFORD, do sell, assign, transfer and set over unto the said CACHEFLOW, INC., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said CACHEFLOW, INC., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at WATERLOO, ONTARIO, this 8<sup>th</sup> day of MAY, 1998.

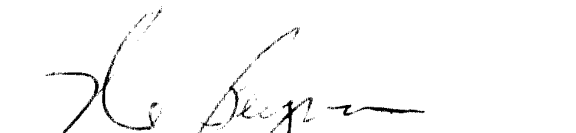
  
MICHAEL MALCOLM

  
IAN TELFORD

for PROVINCE OF ONTARIO  
STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF WATERLOO )

On this 8<sup>th</sup> day of MAY, 1998, before me, THOMAS D. BEYNON, a Notary Public, personally appeared MICHAEL MALCOLM and IAN TELFORD personally known to me (or proved to me on the basis of satisfactory evidence) to be the person/s whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacities, and that by his/her/their signature/s on the instrument the person/s or the entity upon behalf of which the person/s acted, executed the instrument.

WITNESS my hand and official seal.

  
NOTARY PUBLIC

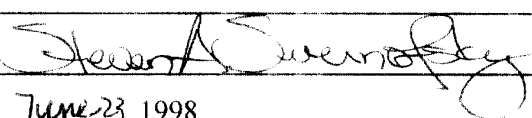
Please type a plus sign (+) inside this box → ☐

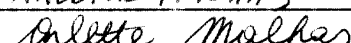
PTO/SB/21 (12-97)  
Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	08/959,058	
	<b>Filing Date</b>	October 28, 1997	
	<b>First Named Inventor</b>	Michael Malcolm	
	<b>Group Art Unit</b>	2751	
	<b>Examiner Name</b>	Not Yet Assigned	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	CASH-003

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below)</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Recordation Form Cover Sheet Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	This is submitted in conjunction with Response to Missing Parts, which has a 3-months Extension of Time Request which also covers this Assignment.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Steven A. Swernofsky
Signature	 PENDING 33,040
Date	June 23, 1998

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 23, 1998		
Typed or printed name	ARLETTE MALHAS	
Signature		Date June 23, 1998

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

PATENT  
REEL: 9327 FRAME: 0485

<b>FEE TRANSMITTAL</b>  <i>Note: Effective October 1, 1997. Patent fees are subject to annual revision.</i>	<b>Complete if Known</b>		
	Application Number	08/959,058	
	Filing Date	October 28, 1997	
	First Named Inventor	Michael Malcolm	
	Group Art Unit	2751	
	Examiner Name	Not Yet Assigned	
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket Number	CASH 003

<b>METHOD OF PAYMENT (check one)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																									
<b>1.</b> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 50-0365 Deposit Account Name: Steven A. Swernofsky Law Offices <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance		<b>3. ADDITIONAL FEES</b>																																																																																																																									
<b>2.</b> <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105 130</td><td>205 130</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td></td></tr><tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116 400</td><td>216 200</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117 950</td><td>217 475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118 1,510</td><td>218 755</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128 2,060</td><td>228 1,030</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119 310</td><td>219 155</td><td>Notice of Appeal</td><td></td></tr><tr><td>120 310</td><td>220 155</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121 270</td><td>221 135</td><td>Request for oral hearing</td><td></td></tr><tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140 110</td><td>240 55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141 1,320</td><td>241 660</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142 1,320</td><td>242 660</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143 450</td><td>243 225</td><td>Design issue fee</td><td></td></tr><tr><td>144 670</td><td>244 335</td><td>Plant issue fee</td><td></td></tr><tr><td>122 130</td><td>122 130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123 50</td><td>123 50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126 240</td><td>126 240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581 40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr><tr><td>146 790</td><td>246 395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149 790</td><td>249 395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="2">Other fee (specify) _____</td><td colspan="2">Other fee (specify) _____</td></tr><tr><td colspan="2">Other fee (specify) _____</td><td colspan="2">Other fee (specify) _____</td></tr><tr><td colspan="2">SUBTOTAL (1) (\$)</td><td colspan="2">SUBTOTAL (3) (\$) 40</td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 130	Surcharge - late filing fee or oath		127 50	227 25	Surcharge - late provisional filing fee or cover sheet		139 130	139 130	Non-English specification		147 2,520	147 2,520	For filing a request for reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 400	216 200	Extension for reply within second month		117 950	217 475	Extension for reply within third month		118 1,510	218 755	Extension for reply within fourth month		128 2,060	228 1,030	Extension for reply within fifth month		119 310	219 155	Notice of Appeal		120 310	220 155	Filing a brief in support of an appeal		121 270	221 135	Request for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,320	241 660	Petition to revive - unintentional		142 1,320	242 660	Utility issue fee (or reissue)		143 450	243 225	Design issue fee		144 670	244 335	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Petitions related to provisional applications		126 240	126 240	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)	40	146 790	246 395	Filing a submission after final rejection (37 CFR 1.129(a))		149 790	249 395	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____		Other fee (specify) _____		Other fee (specify) _____		Other fee (specify) _____		SUBTOTAL (1) (\$)		SUBTOTAL (3) (\$) 40	
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<b>2. CLAIMS</b> Total Claims: 20 = <input checked="" type="checkbox"/> Extra <input checked="" type="checkbox"/> Fee from below <input checked="" type="checkbox"/> Fee Paid Independent Claims: 3 = <input checked="" type="checkbox"/> Extra <input checked="" type="checkbox"/> Fee from below <input checked="" type="checkbox"/> Fee Paid Multiple Dependent Claims: <input checked="" type="checkbox"/> Extra <input checked="" type="checkbox"/> Fee from below <input checked="" type="checkbox"/> Fee Paid <table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>103 22</td><td>203 11</td><td>Claims in excess of 20</td><td></td></tr><tr><td>102 82</td><td>202 41</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>104 270</td><td>204 135</td><td>Multiple dependent claim</td><td></td></tr><tr><td>109 82</td><td>209 41</td><td>Reissue independent claims over original patent</td><td></td></tr><tr><td>110 22</td><td>210 11</td><td>Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="4">SUBTOTAL (2) (\$)</td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	103 22	203 11	Claims in excess of 20		102 82	202 41	Independent claims in excess of 3		104 270	204 135	Multiple dependent claim		109 82	209 41	Reissue independent claims over original patent		110 22	210 11	Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$)																																																																																																	
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Steven A. Swernofsky	Reg. Number	33,040
Signature	<i>Steven A. Swernofsky</i>	Deposit Account User ID	50-0365
Date	June 23, 1998		

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