

Client Code: SMICRO.004A

*8.3.98*

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08-12-1998



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TO THE ASSISTANT COMMISSIONER FOR

100791897

ginal documents or copy thereof.

1. Name of conveying parties:

1. Daniel C. Budge; 2. David Glass; 3. Alvin Pivowar;  
4. Mike Wells; 5. Robert Scheussler

Additional name(s) of conveying party(ies) attached?

(X) Yes ( ) No

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

Name: SmithMicro Software Inc.

Internal Address:

Street Address: 51 Columbia

City: Aliso Viejo State: CA ZIP: 92656

Additional name(s) of receiving party(ies) attached?

( ) Yes (X) No

3. Nature of conveyance:

- (X) Assignment  
( ) Merger  
( ) Security Agreement  
( ) Change of Name  
( ) Other:

Execution Date:

1. June 30, 1998; 2. June 30, 1998; 3. May 29, 1998;  
4. May 27, 1998; 5. May 27, 1998

4. Application number(s) or Patent number(s):

( ) Application(s) filed herewith Execution Date(s):

(X) Patent Application No.: 08/995,572  
Filing Date: December 22, 1997

( ) Patent No.:  
Issue Date:

Additional numbers attached? ( ) Yes (X) No

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

Name: John R. King  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995  
Internal Address: Sixteenth Floor  
Street Address: 620 Newport Center Drive  
City: Newport Beach State: CA ZIP: 92660  
Attorney's Docket No.: SMICRO.004A

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

- (X) Enclosed  
(X) Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

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.

Louis J. Knobbe  
Name of Person Signing

Signature

31, 1998

Date

18,780  
Registration No.

Total number of pages including cover sheet, attachments and document: 13

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents  
Box Assignments  
Washington, D.C. 20231

JRK-4262:sb  
073098

KNOBBE, MARTENS, OLSON & BEAR, LLP  
620 NEWPORT CENTER DR. 16TH FLOOR NEWPORT BEACH, CA 92660  
(949) 760-0404 FAX (949) 760-9502

PATENT

REEL: 9371 FRAME: 0053

08/06/1998 JMWATKINS 00000122 08995572 40.00 OP 301 FC:581

ASSIGNMENT

WHEREAS, We, Daniel C. Budge, a citizen of the United States of America, residing in Tualtin, Oregon; David Glass, a citizen of the United States of America, residing in Hillsboro, Oregon; Alvin Pivowar, a citizen of the United States of America, residing in Portland, Oregon; Mike Wells, a citizen of the United States of America, residing in Portland, Oregon; and Robert Scheussler, a citizen of the United States of America, residing in Yorba Linda, California have invented certain new and useful improvements in a VIDEO E-MAIL SYSTEM for which we have filed an application for Letters Patent in the United States, Application No. 08/995,572, filed December 22, 1997;

AND WHEREAS, SMITH MICRO SOFTWARE INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 51 Columbia, Aliso Viejo, California 92656, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30<sup>TH</sup> day of June, 1998.

  
Daniel C. Budge

STATE OF OREGON

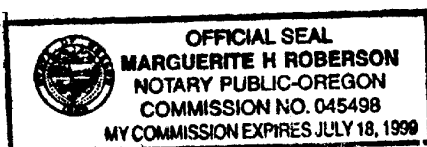
COUNTY OF Washington

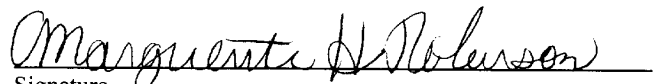
ss.  
||  
||

On 30 June 1998, before me, Marguerite H Roberson personally appeared Daniel C. Budge, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

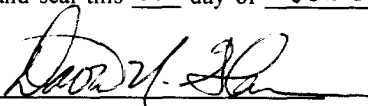


  
Signature

Application No.: 08/995,572  
Filing Date: December 22, 1997

PATENT  
Client Code: SMICRO.004A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30<sup>th</sup> day of June, 1998.

  
\_\_\_\_\_  
David Glass

STATE OF OREGON

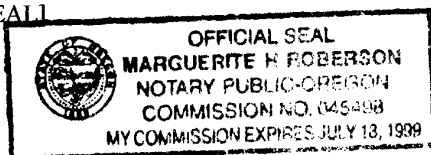
COUNTY OF Washington

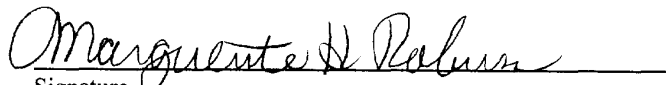
]] ss.

On 30 June 1998, before me, Marguerite Roberson personally appeared David Glass, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Alvin Pivowar

STATE OF

COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Alvin Pivowar, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

Application No.: 08/995,572  
Filing Date: December 22, 1997

PATENT  
Client Code: SMICRO.004A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mike Wells

STATE OF  
  
COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Mike Wells, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Robert Scheussler

STATE OF  
  
COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Robert Scheussler, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

JRK-3922:sb  
051898

ASSIGNMENT

WHEREAS, We, Daniel C. Budge, a citizen of the United States of America, residing in Tualtin, Oregon; David Glass, a citizen of the United States of America, residing in Hillsboro, Oregon; Alvin Pivowar, a citizen of the United States of America, residing in Portland, Oregon; Mike Wells, a citizen of the United States of America, residing in Portland, Oregon; and Robert Scheussler, a citizen of the United States of America, residing in Yorba Linda, California have invented certain new and useful improvements in a VIDEO E-MAIL SYSTEM for which we have filed an application for Letters Patent in the United States, Application No. 08/995,572, filed December 22, 1997;

AND WHEREAS, SMITH MICRO SOFTWARE INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 51 Columbia, Aliso Viejo, California 92656, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Daniel C. Budge

STATE OF

⌋  
|| ss.  
⌋

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Daniel C. Budge, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

Application No.: 08/995,572  
Filing Date: December 22, 1997

PATENT  
Client Code: SMICRO.004A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
David Glass

STATE OF

]] ss.

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared David Glass, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 29 day of may, 1998.

Alvin Pivowar  
Alvin Pivowar

STATE OF

]] ss.

COUNTY OF

On 5/29/98, before me, Scott A. Johnston personally appeared Alvin Pivowar, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Scott A. Johnston  
Signature

Application No.: 08/995,572  
Filing Date: December 22, 1997

PATENT  
Client Code: SMICRO.004A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mike Wells

STATE OF  
  
COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Mike Wells, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Robert Scheussler

STATE OF  
  
COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Robert Scheussler, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

JRK-3922:sb  
051898

ASSIGNMENT

WHEREAS, We, Daniel C. Budge, a citizen of the United States of America, residing in Tualtin, Oregon; David Glass, a citizen of the United States of America, residing in Hillsboro, Oregon; Alvin Pivowar, a citizen of the United States of America, residing in Portland, Oregon; Mike Wells, a citizen of the United States of America, residing in Portland, Oregon; and Robert Scheussler, a citizen of the United States of America, residing in Yorba Linda, California have invented certain new and useful improvements in a VIDEO E-MAIL SYSTEM for which we have filed an application for Letters Patent in the United States, Application No. 08/995,572, filed December 22, 1997;

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Daniel C. Budge

STATE OF

COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Daniel C. Budge, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature



Application No.: 08/995,572  
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Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
David Glass

STATE OF

⌋  
|| ss.  
⌋

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared David Glass, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Alvin Pivowar

STATE OF

⌋  
|| ss.  
⌋

COUNTY OF


On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Alvin Pivowar, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21<sup>st</sup> day of May, 1998.

  
Mike Wells

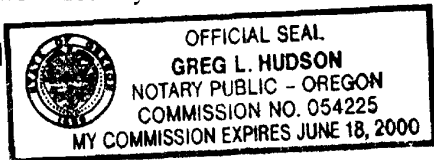
STATE OF Oregon  
COUNTY OF Washington

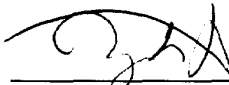
]] ss.

On 5-27-1998, before me, Greg L Hudson personally appeared Mike Wells, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Robert Scheussler

STATE OF  
COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Robert Scheussler, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

ASSIGNMENT

WHEREAS, We, Daniel C. Budge, a citizen of the United States of America, residing in Tualtin, Oregon; David Glass, a citizen of the United States of America, residing in Hillsboro, Oregon; Alvin Pivowar, a citizen of the United States of America, residing in Portland, Oregon; Mike Wells, a citizen of the United States of America, residing in Portland, Oregon; and Robert Scheussler, a citizen of the United States of America, residing in Yorba Linda, California have invented certain new and useful improvements in a VIDEO E-MAIL SYSTEM for which we have filed an application for Letters Patent in the United States, Application No. 08/995,572, filed December 22, 1997;

AND WHEREAS, SMITH MICRO SOFTWARE INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 51 Columbia, Aliso Viejo, California 92656, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

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AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Daniel C. Budge

STATE OF

COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Daniel C. Budge, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mike Wells

STATE OF

}] ss.  
}]

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Mike Wells, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of May, 1998

Robert Scheussler  
Robert Scheussler

STATE OF California

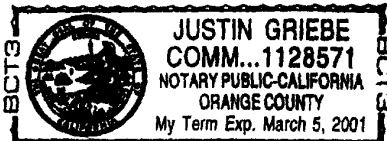
}] ss.  
}]

COUNTY OF Orange

On May 27, 1998, before me, Justin Griebel personally appeared Robert Scheussler, 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 executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Justin Griebel  
Signature