

10-26-1998



Attorney Docket No. 10577-435US

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|--|--|--|--|
| FORM PTO-1595 (Rev. 6-93) <b>MRD 10.16</b> <b>100860027</b>  |  | U.S. Department of Commerce<br>Patent and Trademark Office   |  |
| To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof   |  |  |  |
| 1. Name of conveying party(ies):<br><br>Johannes Klein, Albert C. Gondi,<br>Sitaram V. Lanka and William J. Carley<br><br>Additional name(s) of conveying parties attached? <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No.  |  | 2. Name and address of receiving party(ies)<br><b>NOV 15 11 2:19</b><br>Name: TANDEM COMPUTERS INCORPORATED<br><b>OPR/FINANCE</b><br>Internal Address:<br><br>Street Address: 10435 N. Tantau Avenue, Loc. 200-16<br><br>City: Cupertino State: CA ZIP: 95014<br><br>Additional names and addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |  |
| 3. Nature of conveyance:<br><br><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger<br><br><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name<br><br><input type="checkbox"/> Other:<br><br>Execution Date: September 30, 1998   |  |  |  |
| 4. Application Number(s) or Patent Numbers.<br><br>If this document is being filed together with a new application, the execution date of the application is:<br><br>A. Patent Application No(s): 09/ 127,659 B. Patent No(s):<br><br>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |  |  |  |
| 5. Name and address of party to whom correspondence concerning document should be mailed:<br><br>Name: Gerald T. Gray<br>TOWNSEND AND TOWNSEND AND CREW LLP<br>Two Embarcadero Center, 8 <sup>th</sup> Floor<br>San Francisco, California 94111-3834<br>(415) 576-0200   |  | 6. Total number of applications and patents involved 1 (one)<br><br>7. Total fee (37 CFR 3.41): -----\$40.00<br><br><input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge Fees to Deposit Account<br><br><input type="checkbox"/> Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.<br><br>8. Deposit account number: <b>20-1430</b> |  |
| <b>DO NOT USE THIS SPACE</b>   |  |  |  |
| 9. Statement and signature.<br><br><i>To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.</i><br><br>Gerald T. Gray _____ <i>Gerald T. Gray</i> _____ <u>10/12/98</u><br>Name of Person Signing Signature Date<br><br>Atty Reg. No. 41, 797 Total number of pages including cover sheet, attachments and document 4 (four) |  |  |  |
| 10. Change Correspondence Address to that of Part 5? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   |  |  |  |
| <b>OMB No. 0651-0011 (exp. 4/94)</b>   |  |  |  |
| Mail documents to be recorded with required cover to:  |  | Do not detach this portion   |  |
|  |  | Asst. Commissioner for Patents<br>Box: Assignments<br>Washington, D.C. 20231   |  |

( 10/26/1998 TTOM11 00000058 201430 09127659 )  
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**PATENT**  
**REEL: 9522 FRAME: 0827**

**ASSIGNMENT OF PATENT APPLICATION**

JOINT

WHEREAS, JOHANNES KLEIN, of 55 Coleridge, San Francisco, CA 94110, ALBERT C. GONDI, of 3387 Forest Ave., Santa Clara, CA 95050, SITARAM V. LANKA, of 109 Hilary Ave., , Mountain View, CA 94040, WILLIAM J. CARLEY, of 457 Maplewood Avenue, San Jose, CA 95117, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: VOLATILE RESOURCE MANAGER  
WITH PRE-PREPARE NOTIFICATION

Date(s) of execution of Declaration: \_\_\_\_\_

Filing Date: July 31, 1998

Application No.: 09/127,659 ; and

WHEREAS, TANDEM COMPUTERS INCORPORATED, a corporation of the state of DE, located at 10435 N. Tantau Avenue, Loc. 200-16, Cupertino, CA, 95014, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do 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 Assignors 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.

Assignors further agree that they 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, Assignors have signed their names on the dates indicated.

Dated: 9/30/98

[Signature]  
Johannes Klein

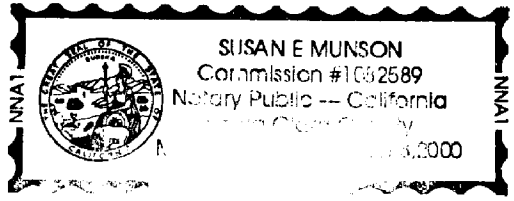
STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss.

On 9/30/98, before me, Susan Munson, personally appeared Johannes Klein, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), 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.

[Signature]  
NOTARY PUBLIC

My Commission Expires: Jan 8, 2000



Dated: 9/30/98

[Signature]  
Albert C. Gondi

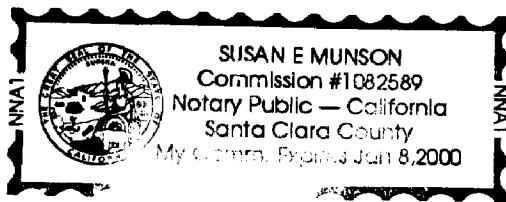
STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss.

On 9/30/98, before me, Susan Munson, personally appeared Albert C. Gondi, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), 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.

[Signature]  
NOTARY PUBLIC

My Commission Expires: Jan 8, 2000



Dated: 9/30/98

Sitaram V. Lanka  
Sitaram V. Lanka

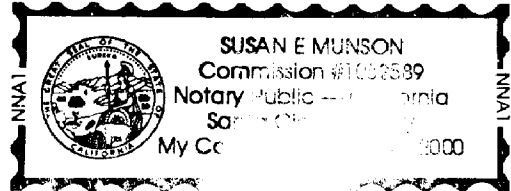
STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss.

On 9/30/98, before me, Susan Munson, personally appeared Sitaram V. Lanka, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), 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.

Susan E. Munson  
NOTARY PUBLIC

My Commission Expires: Jan 8, 2000



Dated: 9/30/98

William J. Carley  
William J. Carley

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss.

On 9/30/98, before me, Susan Munson, personally appeared William J. Carley, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), 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.

Susan E. Munson  
NOTARY PUBLIC

My Commission Expires: Jan 8, 2000

