

12-09-1998

Atty Docket: 23668.161 (P3321)

## PATENT AND TRADEMARK OFFICE



100917413

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
PATENTS ONLY

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

1. Name of conveying party(ies):

Martin Mayhead  
Graham Parrington  
James Radley  
Gradimir StarovicAdditional name(s) of conveying party(ies) attached? ☐ yes ☒ no

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

(2a.)

Name: SUN MICROSYSTEMS LIMITED  
Address: Bagshot Manor, Green Lane, Bagshot, Surrey GU19 5NL,  
United Kingdom

3. Name of Conveyance:

- ☒
- Assignment
- ☐
- Merger
- 
- ☐
- Security Agreement
- ☐
- Change of Name
- 
- ☐
- Other

(2b.)

Name SUN MICROSYSTEMS, INCORPORATED

Address: 901 San Antonio Road (MS PAL01-521), Palo Alto, California  
94303

Execution Date: Oct. 21, 1998

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:

A. Patent Application No.(s) 09/185,414 (Filed: 11/03/98)

B. Patent No.(s)

Additional numbers attached ☐ yes ☒ no

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

Name: Brian M. Berliner

Internal Address: GRAHAM &amp; JAMES LLP

Street Address: 801 S. Figueroa St., 14th Fl.

City: Los Angeles State: CA ZIP 90017-5554

6. Total number of applications and patents involved: one

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

- ☒
- Enclosed
- 
- ☐
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

12/07/1998 JMWTKINS 00000006 09185414

01 FC 581 40.00 00

DO NOT USE THIS SPACE

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.

Brian M. Berliner  
Name of Person SigningNovember 24, 1998  
Date

Total number of pages comprising cover sheet, attachments and document: 4

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

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

PATENT

REEL: 9620 FRAME: 0158

9/29/98 11-27-98

Sun Ref. P3321

**ACKNOWLEDGEMENT** by Employees of the Right to apply for a Patent and AN ASSIGNMENT made on the **TWENTY FIRST day of OCTOBER 1998 BETWEEN**

**MARTIN MAYHEAD**, of BRITISH nationality, of 119 Whitby Road, Slough, SL1 3DR, UNITED KINGDOM (hereinafter referred to as "Inventor") of the first part;

**GRAHAM PARRINGTON**, of BRITISH nationality, of Medomsley Road, Consett, Durham, DH8 6TJ, UNITED KINGDOM (hereinafter referred to as "Inventor" of the first part;

**JAMES RADLEY**, of BRITISH nationality, of 119 Whitby Road, Slough, SL1 3DR, UNITED KINGDOM (hereinafter referred to as "Inventor" of the first part;

**GRADIMIR STAROVIC**, of IRISH nationality, of 119 Whitby Road, Slough, SL1 3DR, UNITED KINGDOM (hereinafter referred to as "Inventor") of the first part;

**SUN MICROSYSTEMS LIMITED**, a UNITED KINGDOM company, having a place of business at BAGSHOT MANOR, GREEN LANE, BAGSHOT, SURREY, GU19 5NL, UNITED KINGDOM (hereinafter referred to as "Employer Company") of the second part; AND

**SUN MICROSYSTEMS, INC.**, a corporation of Delaware, United States of America, having a place of business at M/S PAL01-521, 901 SAN ANTONIO ROAD, PALO ALTO, CALIFORNIA 94303, UNITED STATES OF AMERICA (hereinafter referred to as "Parent Company") of the third part.

WHEREAS :-

(A) Each Inventor claims jointly with the other Inventors to have made the Invention described in the Schedule (hereinafter referred to as "the Invention");

(B) The Invention has been made by the Inventors during the period of their employment with the Employer Company and in the course of their normal duties with the Employer Company and by virtue of the terms of their employment with the Employer Company, the Invention is to be taken as between the Employer Company and the Inventors to belong to the Employer Company;

(C) The Employer Company agrees to assign the Invention and the right to apply for a patent or patents relating to the said Invention to the Parent Company together with all rights title and beneficial interest in and arising therefrom.

NOW THIS AGREEMENT WITNESSES as follows:-

1. Each Inventor HEREBY ACKNOWLEDGES that the Invention and all rights therein including the right to apply for a patent or patents relating to the Invention belongs to the Employer Company, and pursuant thereto HEREBY ASSIGNS TO AND CONFIRMS the vesting in the Employer Company of:

(a) the whole of the property in the Invention throughout the world and any protection obtained at any time therefor and all rights title and interest which the Inventor may have or have been entitled to therein including all rights to bring proceedings for infringement thereof together with the full and exclusive benefit thereof; and

(b) the right to apply for and obtain or to enable others to apply for and obtain a patent or patents or any other form of protection in respect of the Invention both in the United States of America and throughout the world.

2. In pursuance of the agreement referred to in Recital (C) and IN CONSIDERATION of the sum of FIVE US DOLLARS, receipt of which is hereby confirmed, the Employer Company hereby assigns to the Parent Company all its rights in the Invention including the right to apply for a patent or patents and to exploit the Invention or any patent or other protection obtained in respect thereof TO HOLD the same unto the Parent Company absolutely.

3. Each Inventor hereby undertakes to the Parent Company that he/she will at the expense of the Parent Company execute all documents and do all such acts and things as the Parent Company may in its absolute discretion consider necessary or desirable to enable Letters Patent or any form of protection to be issued in respect of the Invention in any part or parts of the world and to vest the same in the name of the Parent Company or its nominee free from all encumbrances and to enable or to assist the Parent Company or its nominee to defend oppositions to grant thereof, to maintain the same when granted and to present and prosecute for the infringement thereof.

4. Each Inventor hereby warrants to the Employer Company and to the Parent Company:

(a) that he/she has not assigned or agreed to assign to any person firm or company or otherwise encumbered the Invention or any other part of the rights therein and thereto;

(b) that he/she has not disclosed and will not disclose the Invention to any person firm or company other than the Employer Company or the Parent Company except as directed by the Employer Company or the Parent Company;

(c) that he/she will give to the Employer Company or the Parent Company all information in his/her possession or in his/her power relating to the Invention and the method of employing or using the same as the Employer Company or the Parent Company shall require;


(d) that he/she knows of no reason why a valid patent or valid patents relating to the Invention should not be granted either to himself/herself or to his/her successors in title.

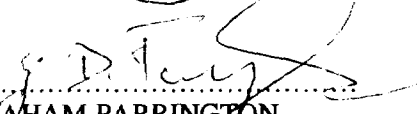
IN WITNESS thereof the parties have duly executed this document the day and year first above written


SCHEDULE

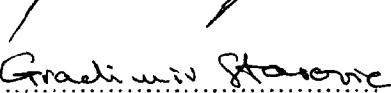
The invention is as described in the attached draft specification entitled:- "FILE SERVER SYSTEM"

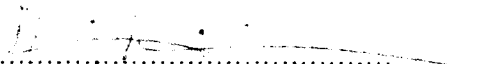
SIGNED by the Inventors:

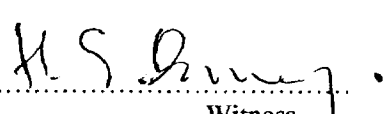
  
.....  
MARTIN MACHEAD

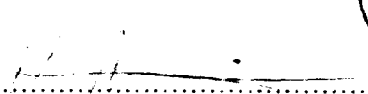
  
.....  
GRAHAM FARRINGTON


  
.....  
JAMES RADLEY

  
.....  
GRADIMIR STAROVIC

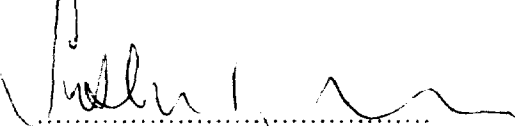
  
.....  
Witness

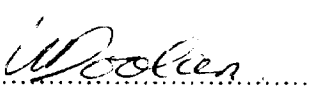
  
.....  
Witness

  
.....  
Witness


  
.....  
Witness


SIGNED for and on behalf  
of SUN MICROSYSTEMS LIMITED

  
.....  
SUSAN FERGUSON  
SOLICITOR AND COMPANY SECRETARY  
SUN MICROSYSTEMS LIMITED

  
.....  
Witness

SIGNED for and on behalf  
of SUN MICROSYSTEMS, INC.

  
.....  
KENNETH OLSEN  
  
VICE PRESIDENT INTELLECTUAL PROPERTY  
SUN MICROSYSTEMS, INC.

  
.....  
Witness  
Lynette N. Freed