

AS

10-06-1998



100843830

OVER SHEET

02-22-1999



100969748

To: Honorable Commissioner of Patents and Trademark

Please record the attached original document(s).

9-28-98
Resub
2.16.99

1. Name of conveying party(ies)
 - a) Michael M. Goshey
 - b) Guido Maffezzoni
 - c) Gilbert Chang-Tying Wu
 - d) Yen-Chung Lin
 - e) John D. Nguyen
 - g) Robert S. Hudson
 - h) David A. Coleman
 - i) Dennis M. Summers
 - j) Thanh T. Bui
- f) Kristine N. Luong
2. Name and address of receiving party(ies):
 - a) Name: Adaptec, Inc.
 - Address: 691 S. Milpitas Blvd., Milpitas, CA 95035
3. Nature of conveyance
X Assignment
Security Agreement
Other _____
Merger
Change of Name

Execution Dates: August 24, 1998 (Michael M. Goshey), September 15, 1998 (Guido Maffezzoni), August 25, 1998 (Gilbert Chang-Tying Wu), August 25, 1998 (Yen-Chung Lin), August 25, 1998 (John D. Nguyen), August 25, 1998 (Kristine N. Luong), August 26, 1998 (Robert S. Hudson), September 15, 1998 (David A. Coleman), September 15, 1998 (Dennis M. Summers) and August 25, 1998 (Thanh T. Bui), respectively.

4. Application Number or Patent Number: 09/110,783 filed July 6, 1998.

The title of the application is: AN INTELLIGENT BACKUP AND RESTORING SYSTEM AND METHOD FOR IMPLEMENTING THE SAME

5. Please send all correspondence concerning this document to:

Albert S. Penilla

10/02/1998 1STOKES 00000054 09110783

06 FC:581

40.00 DP

Martine Penilla & Kim, LLP
830 West Evelyn Ave.
Sunnyvale, CA 94086
(408) 749-6900 Tel.

(408) 749-6901 Fax

6. Total number of applications and patents involved: 1

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

X
X

Enclosed

If there is any additional fee, the Examiner is authorized to charge to Deposit Account No. 50-0384 (Order No. ADAPP035A).

40E

8. 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.

Date: September 24, 1998

Albert S. Penilla, Esq.
Registration No. 39,487

ASSIGNMENT OF PATENT APPLICATION

Whereas we the undersigned inventors have invented certain new and useful improvements as set forth in the patent application entitled:

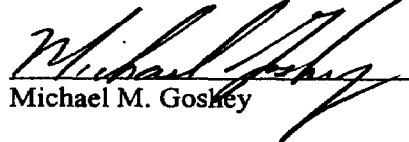

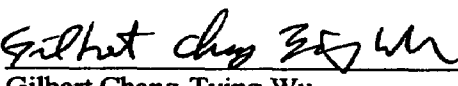
AN INTELLIGENT BACKUP AND RESTORING SYSTEM AND METHOD FOR IMPLEMENTING THE SAME


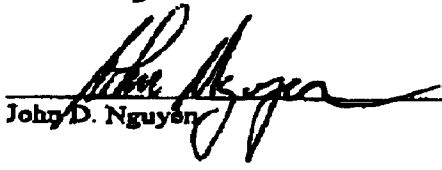



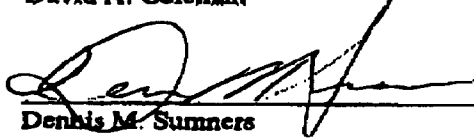

(Atty. Docket No.: ADAPP035A) for which we have executed an application for a United States Letters Patent (Serial No: 09/110,783 filed July 6, 1998).

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, We the undersigned inventors hereby:

- 1) Sell, assign and transfer to **Adaptec, Inc.**, a Delaware corporation having a place of business at 691 S. Milpitas Boulevard, Milpitas, CA 95035, (hereinafter referred to as "ASSIGNEE"), the entire right title and interest in any and all improvements and inventions disclosed in, application based upon, and Patent (including foreign patents) granted upon the information which is disclosed in the above referenced application.
- 2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any division, continuation, substitutes or reissue thereof to the ASSIGNEE.
- 3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative and applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.
- 4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the ASSIGNEE, its successors, assigns and other legal representative, and shall be binding upon the inventors, as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the dates indicated beside our signatures.

- 1) Signature: 
Typed Name: Michael M. Goskey Date: 8/24/98
- 2) Signature: 
Typed Name: Guido Maffezzoni Date: 8/15/98
- 3) Signature: 
Typed Name: Gilbert Chang-Tying Wu Date: 8/25/98

- 4) Signature:  Date: 8/25/98
Typed Name: Yeh-Chung Lin
- 5) Signature:  Date: 8/25/98
Typed Name: John D. Nguyen
- 6) Signature: _____ Date: _____
Typed Name: Roger A. Stoller
- 7) Signature:  Date: 8/25/98
Typed Name: Kristine N. Leong
- 8) Signature:  Date: 8/26/98
Typed Name: Robert S. Hudson
- 9) Signature:  Date: 9/15/98
Typed Name: David A. Coleman
- 10) Signature:  Date: 9/15/98
Typed Name: Dennis M. Summers
- 11) Signature:  Date: 8/25/98
Typed Name: Thanh T. Bui
- 12) Signature: _____ Date: _____
Typed Name: Tony Fu
- 13) Signature: _____ Date: _____
Typed Name: Tony G. Kwan

RECEIVED

PATENT

1999 FEB 16 10:10:59

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CITIZENSHIP

In re the application of)

Goshey et al.)

Application No: 09/110,783)

Filed: July 6, 1998)

For: AN INTELLIGENT BACKUP AND)
RESTORING SYSTEM AND METHOD FOR)
IMPLEMENTING THE SAME)

Examiner: Unassigned

Art Unit: Unassigned

February 8, 1999

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, DC 20231 on February 8, 1999.

Signed: _____

Kay Harlow

COMMUNICATION TO USPTO

U.S. Patent and Trademark Office
Assignment Division
Box Assignments, CG-4
1213 Jefferson Davis Highway, Suite 320
Washington, D.C. 20231

Sir:

Applicant hereby submits the enclosed Assignment Recordation Cover Sheet for the above-identified patent application. Also enclosed are copies of the Notice of Non-Recordation (Document ID No: 100843830), the Assignment Recordation Sheet and Assignment as filed, which states all of the previous inventors. Please make these changes in your records to reflect the new Assignment Recordation Sheet.

Respectfully submitted,
MARTINE PENILLA & KIM, LLP



Albert S. Penilla, Esq.
Reg. No. 39,487

830 West Evelyn Avenue
Sunnyvale, CA 94086
(408) 749-6900

Attorney Docket No. ADAPP035A

PATENT

REEL: 9765 FRAME: 0612



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JANUARY 27, 1999

PTAS

HICKMAN & MARTINE, LLP
ALBERT S. PENILLA
P.O. BOX 52037
PALO ALTO, CA 9430-0746



100843830A

**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT**

DOCUMENT ID NO.: 100843830

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

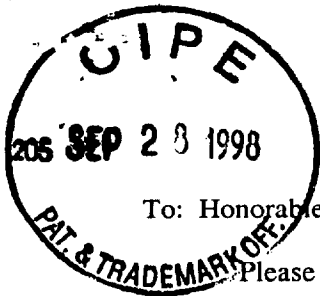
SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. ONLY THE NAMES OF THE PERSONS SIGNING THE DOCUMENT (EXECUTION DATES) SHOULD APPEAR IN ITEM 1 (CONVEYING PARTIES).

PEARLENE FOSTER, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

REC'D FEB - 2 1999

**PATENT
REEL: 9765 FRAME: 0613**



10-06-1998

AS



OVER SHEET

100843830

To: Honorable Commissioner of Patents and Trademarks:

Please record the attached original document(s) or copy thereof.

- 9-28-98
1. Name of conveying party(ies)
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 - g) Kristine N. Luong
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5. Please send all correspondence concerning this document to:

Albert S. Penilla
HICKMAN & MARTINE, LLP
P.O. Box 52037
Palo Alto, CA 94303-0746
Tel. No.: (650) 470-7430 Fax No.: (650) 470-7440

10/02/1998 TSTOKES 00000054 09110783

06 FC:581

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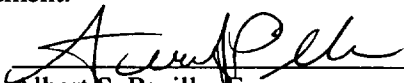
6. Total number of applications and patents involved: 1

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

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8. 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.

Date: September 24, 1998


Albert S. Penilla, Esq.
Registration No. 39,487

Attorney Docket No. ADAPP035A

RECORDED: 02/16/1999

PATENT (Revised 01/96)
REEL: 9765 FRAME: 0614