

10-15-1999

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U.S. Department of Commerce

Form PTO-1595

10-5-99

Docket No. SA9-99-157

101171140

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

1. Name of conveying party(ies):

Michael Joseph Azevedo  
Carol Spanel  
Andrew Dale Walls

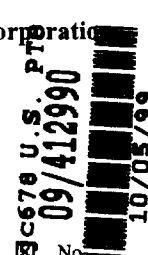
Additional name of conveying party attached?  Yes  No

2. Name and address of receiving party(ies)

Name: **International Business Machines Corporation**

Street Address: **New Orchard Road**  
City: **Armonk** State: **NY** ZIP: **10504**

Additional name(s) and address(es) attached?  Yes  No



3. Nature of conveyance:

Assignment

Execution Date: October 1, 1999

4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is: October 1, 1999

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: **Sandra M. Parker, Esq.**  
**Oppenheimer Wolff & Donnelly LLP**

Street Address: **2029 Century Park East, 38th Floor**  
City: **Los Angeles** State: **CA** ZIP: **90067**

6. Total number of applications and patents involved: 1

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

Enclosed

Any discrepancy or overpayment is authorized to be charged to deposit account

8. Deposit Account number: **16-2230**

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

**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.*

Sandra M. Parker

Signature

10/5/99

Date

Total number of pages including cover sheet, attachments, and document: 2

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ASSIGNMENT

Whereas, we, Michael Joseph Azevedo of San Jose, County of Santa Clara and State of California; Carol Spanel of San Jose, County of Santa Clara and State of California; and Andrew Dale Walls of San Jose, County of Santa Clara and State of California have invented certain improvements in ARBITRATION SCHEME FOR OPTIMAL PERFORMANCE and executed, respectively, a United States patent application therefor on October 1, 1999, 10/1/1999, and 10/1/1999.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed and sealed

at San Jose (CITY)  
on October 1, 1999

Michael Joseph Azevedo  
Michael Joseph Azevedo

at San Jose (CITY)  
on 10/1, 1999

Carol Spanel  
Carol Spanel

at San Jose (CITY)  
on 10/1, 1999

Andrew Dale Walls  
Andrew Dale Walls

**PERSONAL VERIFICATION OF ASSIGNMENT**

Re: DOCKET SA9-99-157

This is to verify that I understand that I am executing the attached formal Assignment for Docket No. SA9-99-157 pursuant to the "Confidential Information and Invention (or Intellectual Property) Agreement" which I signed when I was employed by IBM.

Date October 1, 1999

Michael Joseph Azevedo  
Michael Joseph Azevedo

Date 10/1, 1999

Carol Spanel  
Carol Spanel

Date 10/1, 1999

Andrew Dale Walls  
Andrew Dale Walls