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PATENT & TRADEMARK OFFICE

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ASSI

ER SHEET

To: Honorable Commissioner of Patents and Trademarks:

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

1. Name of conveying party (ies)
a) William F. Foote
2. Name and address of receiving party(ies):
a) Name: Sun Microsystems, Inc.
Address: 901 San Antonio Road, Palo Alto, California 94303
3. Nature of conveyance

<input checked="" type="checkbox"/>	Assignment	<input type="checkbox"/>	Merger
<input type="checkbox"/>	Security Agreement	<input type="checkbox"/>	Change of Name
<input type="checkbox"/>	Other _____	<input type="checkbox"/>	License Agreement

Execution Date: October 25, 1999

4. Application Number(s) or Patent Number(s): 09/394,118

The title of the (new) application is:

Apparatus and Methods For Managing Resource Usage

5. Please send all correspondence concerning this (these) documents to:

Customer Number: 022434

BEYER & WEAVER, LLP
P.O. Box 61059
Palo Alto, CA 94306
Telephone (510) 843-6200
Fax (510) 843-6203



022434

PATENT TRADEMARK OFFICE

6. Total number of applications and patents involved: 1

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

- ☒ Enclosed
☒ Any deficiencies in the fees are authorized to be charged to Deposit Account No. 50-0388 (Order No. SUN1P250)

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: November 5, 1999

Mary R. Olynick
Registration No. 42,963

11/12/1999 CVORACHA 00000010 09394118

04 FC:581

40.00 OP/

Attorney Docket No. SUN1P250/P3957

(Revised 01/96)

PATENT
REEL: 010375 FRAME: 0778

ASSIGNMENT OF PATENT APPLICATION

(Not Accompanying Application)

Whereas I/we the undersigned inventor(s) have invented certain new and useful improvements as set for in the patent application entitled:

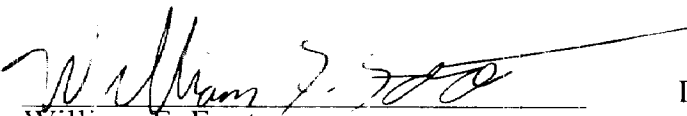
APPARATUS AND METHODS FOR MANAGING RESOURCE USAGE

for which I (we) have executed an application for a United States Letters Patent which was filed in the U.S. Patent and Trademark Office on September 10, 1999 and which bears the Application No. 09/394,118.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/We the undersigned inventor(s) hereby:

- 1) Sell(s), assign(s) and transfer(s) to Sun Microsystems, Inc., a Delaware Corporation, having a principal place of business at 901 San Antonio Rd., Palo Alto, California, 94303 (hereinafter referred to as "ASSIGNEE"), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (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(s), continuation(s), substitutes(s) or reissue(s) 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 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 inventor(s), as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that I/we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date(s) indicated beside my (our) signature(s).

1) Signature:  Date: 10-25-99
Typed Name William F. Foote