

11-30-1999

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(Rev. 6-93)
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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



101207046

Tab settings

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

1. Name of conveying party(ies):
Alexander H. Frey, Jr.

Additional names(s) of conveying party(ies) Yes No

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

Name: **Tricord Systems, Inc.**

Address: **13100 N.W. Freeway, Suite 400**

City: **Houston** State/Prov.: **Texas**

Country: **U.S.A.** ZIP: **77040**

Additional name(s) & address(es) Yes No



3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: **October 29, 1999**

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: **October 29, 1999**

Patent Application No. Filing date

B. Patent No.(s)

09/439440

Additional numbers Yes No

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

Name: **Coe F. Miles**

Registration No. **38,559**

Address: **Trop, Pruner, Hu & Miles, P.C./**

8554 Katy Freeway, Suite 100

City: **Houston** State/Prov.: **Texas**

Country: **U.S.A.** ZIP: **77024-1805**

6. Total number of applications and patents involved: **1**

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

- Enclosed - Any excess or insufficiency should be credited or debited to deposit account
- Authorized to be charged to deposit account

8. Deposit account number:

20-1504 (TRIC-0006-P2-US)

11/29/1999 0000141 0943944

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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.

Coe F. Miles

11-15-99

Name of Person Signing

Signature

3

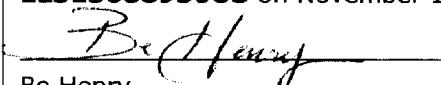
Date

Total number of pages including cover sheet, attachments, and

ASSIGNMENT

Inventor : Alexander H. Frey, Jr.
Title : Self-Healing Computer System Storage
Serial No. : Unknown Docket : TRIC-0006-P2-US
Filed : Herewith

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

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| CERTIFICATE OF MAILING (37 C.F.R. 1.10) |
| The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to the Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, DC 20231, Express mail label number EL515088930US on November 15, 1999. |
|  |
| Be Henry |

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which is hereby acknowledged, the undersigned does hereby:

SELL, ASSIGN AND TRANSFER to TRICORD SYSTEMS, INC., (the "Assignee"), a corporation of Delaware having a place of business at 13100 N.W. Freeway, Ste. 400, Houston, Texas 77040 the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent identified above, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Executed on 29 Oct. 1999 by Alexander H. Frey Jr.
Date Alexander H. Frey, Jr.

STATE OF MINNESOTA

County of Hennepin

BEFORE ME, this 29th day of October personally appeared the above-named individual, to me known to be the person who is described in and who executed the foregoing assignment instrument and acknowledged to me that he executed the same of his own free will for the purposes therein expressed.

SEAL



Tracy A. Kivley

Notary or Consular Officer

My Commission Expires: 1-31-2000