

07-05-2000

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June 2, 2000
Attorney Dkt 5670-9

To the Honorable Commissioner of Patents and

Please record the attached original documents or 101396034

1. Name of conveying party(ies): 6.5.00

Ganymede Software Inc.
1100 Perimeter Park Dr.
Morrisville, NC 27560

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

NetIQ Corporation
5410 Betsy Ross Dr.
Santa Clara, CA 95054

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment
 - Merger
 - Security Agreement
 - Change of Name
 - Other _____
- Execution Date: May 30, 2000

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

4. Application Serial No. 09/479,565 Patent No. _____

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

Additional numbers attached? Yes No

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

Robert W. Glatz
Myers Bigel Sibley & Sajovec
P. O. Box 37428
Raleigh NC 27627

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number: 50-0220

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FC:581 40.00 (P)

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.

Robert W. Glatz

June 2, 2000

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments and document: 3

ASSIGNMENT

THIS ASSIGNMENT, made by Ganymede Software Inc., a corporation of the state of North Carolina, having its principal place of business at 1100 Perimeter Park Drive, Morrisville, County of Wake, State of North Carolina, hereinafter referred to as assignor;

WITNESSETH: That,

WHEREAS the above named corporation is the owner of the entire right, title, and interest in and to certain new and useful improvements in **METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR NETWORK PERFORMANCE TESTING THROUGH ACTIVE ENDPOINT PAIR BASED TESTING AND PASSIVE APPLICATION MONITORING** and a Patent Application Serial No. 09/479,565 thereon, filed January 7, 2000, by reason of an Assignment dated January 6, 2000 and January 7, 2000 and recorded on Reel 010535, Frame 0748;

WHEREAS, NetIQ Corporation, a Delaware corporation, having its principal place of business at 5410 Betsy Ross Drive, Santa Clara, County of Santa Clara, State of California, hereinafter referred to as assignee, is desirous of acquiring the entire right, title, and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To All Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the above assignor has sold and by these presents does hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues thereof which may be granted therefor or thereon, and any Letters Patent thereon or reissues thereof which may be granted therefor or thereon, including all foreign countries, for the full end of the term for which said Letters Patent may be granted, together with the right to claim priority in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by assignor if this assignment and sale had not been made.

