

10-11-2000

Form PTO-1595

U.S. Department of Commerce

RE



Docket No. 18973-50 (POO-3011)

101482430

To the Hon. Commissioner of Patents &

Original documents or copy thereof.

JC916 U.S. PTO
09/668643
09/22/00

1. Name of conveying party(ies):
Andrew David Birrell, Mark David Lillibridge, Michael burrows and Michael Acheson Isard
Additional name of conveying party attached? Yes No
9/22/00

2. Name and address of receiving party(ies):
Name: Compaq Computer Corporation
Address: P.O. Box 692000
20555 SH 249
City: Houston State: TX ZIP: 77070-2698
Additional name(s) and address(es) attached? Yes No

3. Nature of conveyance:
 Assignment
Execution Date: June 5, 2000

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: September 21, 2000
A. Patent Application No.(s) B. Patent No.(s)
09 668643
Additional numbers attached? Yes No

5. Name and address party to whom correspondence concerning document should be mailed:
Name: Leah Sherry
Oppenheimer Wolff & Donnelly LLP
Street Address: 3373 Hillview Avenue, Suite 200
City: Palo Alto State: California ZIP: 94304-1204

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: 02-3964
(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.
Leah Sherry Signature Date: September 22, 2000
Name of Person Signing Signature Date
Total number of pages including cover sheet, attachments, and document: 5

10/03/2000 MGDORDM 00000011 09668643

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SV: 106972 v01 09/22/2000

PATENT
REEL: 011139 FRAME: 0348

ASSIGNMENT

WHEREAS, We, Andrew David Birrell, Mark David Lillibridge, Michael Burrows and Michael Acheson Isard, are joint inventors of “**Method and System for Cooperatively Backing Up Data on Computers in a Network**” application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, COMPAQ COMPUTER CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

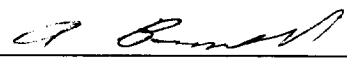
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledges, we hereby sell, assign, transfer and set over the COMPAQ COMPUTER CORPORATION, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ COMPUTER CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ COMPUTER CORPORATION, as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ COMPUTER CORPORATION, its successors, assigns, or other legal representatives and that if COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representative shall desire to file any divisional or continuation applications or to secure a reissued of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof

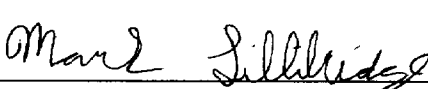
as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

Inventor's Signature:  Date: 5 June 2000

Typed Name: Andrew David Birrell

Home Address: 313 Loucks Avenue, Los Altos, CA 94022

Citizenship: United Kingdom

Inventor's Signature:  Date: 6/5/00

Typed Name: Mark David Lillibridge

Home Address: 575 So. Rengstorff Avenue, Apt. #118, Mountain View, CA 94040

Citizenship: United States

Inventor's Signature:  Date: 5th June 2000

Typed Name: Michael Burrows

Home Address: 3143 David Court, Palo Alto, CA 94303

Citizenship: United Kingdom

Inventor's Signature:  Date: 5th June 2000

Typed Name: Michael Acheson Isard

Home Address: 81 Lansing St., Apt. 401, San Francisco, CA 94105

Citizenship: United States

NOTARIAL CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On June 05, 2000 before me, Suzanne R. Gray, a notary public, personally appeared Andrew Birrell ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person whose name ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity ~~(ies)~~, and that by ~~his~~ ~~her~~ ~~their~~ signature ~~(s)~~ on the instrument the person , or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

SEAL



Suzanne R. Gray
Notary Public

NOTARIAL CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On June 05, 2000 before me, ^{by} Suzanne R. Gray ~~Mark Lillibridge~~, a notary public, personally appeared Mark Lillibridge ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person whose name ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity ~~(ies)~~, and that by ~~his~~ ~~her~~ ~~their~~ signature ~~(s)~~ on the instrument the person , or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

SEAL



Suzanne R. Gray
Notary Public

NOTARIAL CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On June 05 2000 before me, Suzanne R. Gray, a notary public, personally appeared Michael Burrows ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(x) whose name(x) ~~is~~ is subscribed to the within instrument and acknowledged to me that ~~he~~ he ~~she~~ she ~~they~~ they executed the same in ~~his~~ his ~~her~~ her ~~their~~ their authorized capacity(~~ies~~), and that by ~~his~~ his ~~her~~ her ~~their~~ their signature(~~s~~) on the instrument the person(x), or the entity upon behalf of which the person(x) acted, executed the instrument.

WITNESS my hand and official seal.



SEAL

Suzanne R. Gray
Notary Public

NOTARIAL CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On June 05, 2000 before me, Suzanne R. Gray, a notary public, personally appeared Michael Isard ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(x) whose name(x) ~~is~~ is subscribed to the within instrument and acknowledged to me that ~~he~~ he ~~she~~ she ~~they~~ they executed the same in ~~his~~ his ~~her~~ her ~~their~~ their authorized capacity(~~ies~~), and that by ~~his~~ his ~~her~~ her ~~their~~ their signature(~~s~~) on the instrument the person(x), or the entity upon behalf of which the person(x) acted, executed the instrument.

WITNESS my hand and official seal.



SEAL

Suzanne R. Gray
Notary Public