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**Conveying Party(ies)**☐ Mark if additional names of conveying parties attached

Name (line 1) De Forest, Miles Aram

Execution Date  
Month Day Year  
09202000

Name (line 2)

**Second Party**

Name (line 1) MacHardy, Earle Trounson, Jr.

Execution Date  
Month Day Year  
09122000

Name (line 2)

**Receiving Party**☐ Mark if additional names of receiving parties attached

Name (line 1) EMC Corporation

Name (line 2)

Address (line 1) 171 South Street

Address (line 2)

Address (line 3) Hopkinton

MA

01748

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

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PATENT

**Correspondent Name and Address**

Area Code and Telephone Number **603-472-2957**

Name **Gary D. Clapp**

Address (line 1) **66 Blanford Place**

Address (line 2) **Bedford, NH 03110**

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# **2**

**Application Number(s) or Patent Number(s)**

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**09579670**

**Patent Number(s)**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT  PCT  PCT   
PCT  PCT  PCT

**Number of Properties**

Enter the total number of properties involved.

# **1**

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

**40**

Method of Payment:  
Deposit Account

Enclosed ☐ Deposit Account ☒

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Deposit Account Number:

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Authorization to charge additional fees:

Yes ☒ No ☐

**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. Charges to deposit account are authorized, as indicated herein.*

**Gary D. Clapp**

Name of Person Signing

Signature

**Sept. 29, 2000**

Date

**ASSIGNMENT**

WHEREAS, We Miles Aram de Forest and Earle Trounson MacHardy Jr., have invented certain new and useful improvements in

FAULT TOLERANT SYSTEM SHARED SYSTEM RESOURCE WITH STATE MACHINE LOGGING which are described and claimed in Application Serial Number 09/579,670 filed on May 26, 2000 for United States Letters Patent in respect of which a Declaration and Power of Attorney is executed on even date herewith.

WHEREAS, EMC CORPORATION, a corporation organized and existing under and by virtue of the laws of the Commonwealth of Massachusetts, and having its principal place of business at 171 South Street, Hopkinton, Massachusetts, is desirous of acquiring the entire interest in and to said invention, said Application and the Letters Patent to be obtained therefor.

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, WE have sold, assigned, and set over, and by these presents do hereby sell, assign and set over to the said EMC CORPORATION, and said assignee's legal representatives, successors, and assigns, the entire right, title and interest in and to said invention, said Application and the Letters Patent, both foreign and domestic, that may or shall issue thereon including the right to claim in respect of any subsequent corresponding foreign patent applications and patents, the priority date of the said application under any international treaty; and WE do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above identified assignee in agreement with the terms of this Agreement.

UPON SAID CONSIDERATION, WE do hereby covenant and agree with the said assignee that WE will not execute any writing or do any act whatsoever conflicting with these presents, and that WE will at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind and inure to the benefit of the assigns and legal representatives of all parties hereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 20<sup>th</sup> day of September 2000

Name: Miles Aram De Forest

Seal: Miles Aram de Forest

United States of America

~~Commonwealth of Massachusetts~~ STATE OF NORTH CAROLINA

County of ~~Worcester~~

On this 20<sup>th</sup> day of SEPTEMBER 2000, before me personally appeared Miles Aram de Forest, to me proved to be the person described in the foregoing Assignment, who acknowledged that he executed the foregoing Assignment of his own free will for the purposes therein set forth.

Julie A. Ostermeier  
Notary Public

My Commission Expires

DG-663

**PATENT**

**REEL: 011234 FRAME: 0444**

*Earle Trounson MacHardy Jr.*  
*Earle Trounson*

Name: <sup>Earle</sup>~~Eric~~ Trounson MacHardy, Jr.

Seal: ~~*Earle Trounson MacHardy Jr.*~~

United States of America

~~Commonwealth of Massachusetts~~ State of North Carolina

County of ~~Worcester~~ Wake

On this 12th day of SEPTEMBER 2000, before me personally appeared Earle Trounson MacHardy Jr., to me proved to be the person described in the foregoing Assignment, who acknowledged that he executed the foregoing Assignment of his own free will for the purposes therein set forth.

*Julia A. Ostermeyer*  
\_\_\_\_\_  
Notary Public

My Commission Expires **2-2-2003**

### Declaration for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### FAULT TOLERANT SYSTEM SHARED SYSTEM RESOURCE WITH STATE MACHINE LOGGING

which is described and claimed in Application for United States Letters Patent Serial Number 09/579,670 filed on May 26, 2000.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### Power of Attorney

As the below named inventor, I hereby appoint the following with full powers of association, substitution and revocation to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Robert L. Dulaney, Reg. No. 28,001, and Gary D. Clapp, Reg. No. 29,055.

Please direct all correspondence and telephone calls to:

Gary D. Clapp, Esq.  
66 Blanford Place  
Bedford, New Hampshire 03110  
603-472-2957

Full Name of Inventor: Miles Aram de Forest

Inventor's Signature: *Miles Aram de Forest* Date: 20 September 2000

Residence: 6921 Iron Gate Drive, Bahama NC 27503

Citizenship: United States

Post Office Address: 6921 Iron Gate Drive, Bahama NC 27503

Full Name of Inventor: Earle Trounson MacHardy Jr.

Inventor's Signature: *Earle Trounson MacHardy Jr.* Date: 9/12/00

Residence: 5812 Shannas Way, Durham NC 27713-2031

Citizenship: United States

Post Office Address: 5812 Shannas Way, Durham NC 27713-2031

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