

12-08-2000



101543982

R

R

11-28-00

U.S. PTO
09/724025
11/26/00

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

1. Name of conveying party(ies):

David Herring, John Carroll, Rehan O'Grady, Neil Coleman and Felix Marks

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

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

Name: Micromuse Inc.

Internal Address: _____

Street Address: 139 Townsend Street

City: San Francisco State: CA ZIP: 94107

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other _____

Execution Date: November 28, 2000

09/724025

4. Application number(s) or patent number(s)

If this document is being filed together with a new application, the execution date of the application is: 11/28/00

A. Patent Application No.(s)

B. Patent No.(s)

12/01/2000 SS THIB1 00000047 09724025

04 FC:581

40.00 OP

Additional numbers attached? Yes No

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

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP
120 West 45th Street
New York, New York 10036
(212) 944-1515

6. Total number of applications and patents involved: 1

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

- Check enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 02-4270
(Attach duplicate copy of this page by deposit account)
Please charge any additional fees required, or credit any overpayment, to the above 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.

Seth H. Ostrow

Name of Person Signing

Signature

November 28, 2000

Date

Total number of pages including cover sheet, attachments and document: 9

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Docket No. 3882-3

ASSIGNMENT

WHEREAS, we, David HERRING, a citizen of the United Kingdom, residing at 45 Church Road East, Crowthorne Berkshire RG45 7ND, England, and John CARROLL, a citizen of the United Kingdom, residing at 4543 North O'Connor Road, Apartment 1249, Irving, Texas 75062, and Rehan O'GRADY, a citizen of the United Kingdom, residing at Basement Flat, 32 Addison Avenue, Holland Park, London W11 4QR, England, and Neil COLEMAN, a citizen of the United Kingdom, residing at 40 Belle Vue Rd., Quarry Bank, West Midlands, United Kingdom, DY5 1AD, and Felix MARKS, a citizen of the United Kingdom, residing at 251 Mayall Road, London SE24 OPQ, England have invented one or more inventions (hereinafter referred to as "said invention(s)") disclosed in an application for Letters Patent of the United States titled METHOD AND SYSTEM FOR PREDICTING CAUSES OF NETWORK SERVICE OUTAGES USING TIME DOMAIN CORRELATION (hereinafter referred to as "said application"), said application having been executed on even date herewith;

WHEREAS, Micromuse Inc. (hereinafter together with its successors and assigns referred to as "Assignee"), a Delaware corporation, having a place of business at 139 Townsend Street, San Francisco, CA 94107 USA, is desirous of confirming its ownership of all right, title and interest in, to and under said invention(s) and said application; and

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency of which we hereby acknowledge, we have sold, assigned, transferred and set over, and by these presents hereby sell, assign, transfer and set over to the Assignee all right, title and interest in, to and under said invention(s) and said application, including the right to apply for any Letters Patent of the United States of America and in any and all foreign countries on said invention(s), and any and all other applications for Letters Patent on said invention(s), in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part and convention applications based in whole or in part upon said invention(s) or upon said application, and any and all Letters Patent which may issue thereon in the United States and foreign countries, and any and all reissues, extensions, renewals, divisions, continuations or continuations-in-part of Letters Patent granted for said invention(s) or upon said applications, to the full term or terms for which said Letters Patent may be issued, and every priority right that is or may be predicated upon or arise from said invention(s), said application and said Letters Patent, the same to be held and enjoyed by the Assignee for its own use and benefit fully and entirely as if the same would have been held and enjoyed by us had this Assignment not been made. We hereby authorize the Assignee to file patent applications in any and all countries on any or all of said invention(s) in our names, or in its name, or otherwise as the Assignee may deem advisable, under the International Convention or otherwise.

We hereby authorize the Commissioner of Patents and Trademarks of the United States, and any official of any other country empowered to issue patents, to record this Assignment, and to issue or transfer all said Letters Patent on said invention(s) to the Assignee as owner of all right, title and interest therein, or otherwise as the Assignee may direct, in accordance with the terms of this Assignment.

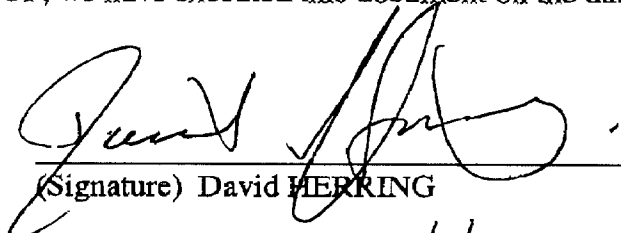
BRMFS1 227726v1

We hereby represent and warrant that we have the full right to convey the entire right and interest herein assigned, that there are no rights or interests outstanding inconsistent with the rights and interests granted herein, and that we will not execute any instrument or grant or transfer any rights or interests inconsistent with the rights and interests granted herein.


We hereby covenant and agree that we will, upon request of the Assignee, communicate to the Assignee any facts known to us relating to said invention(s) and the history thereof, testify in any legal proceeding, execute all lawful papers including without limitation all divisional, continuing and reissue applications and all rightful oaths and declarations, and generally do all further acts which may be deemed necessary by the Assignee to obtain and enforce proper patent protection for said invention(s) in all countries.

IN TESTIMONY WHEREOF, we have executed this document on the date indicated below.

Date: 28th Nov 2000



(Signature) David HERRING

Witnessed by: 

(Signature of Witness)

28/11/00

Date

TANYA STEPHENS - 12 KINGSFARM AVE, RICHMOND TW10 5AB

(Printed name and address of Witness)

Witnessed by: _____
(Signature of Witness)

Date

(Printed name and address of Witness)

Date: _____

(Signature) John CARROLL

Witnessed by: _____

(Signature of Witness)

Date

(Printed name and address of Witness)

Witnessed by: _____

(Signature of Witness)

Date

(Printed name and address of Witness)

Date: 28/11/00

Rehan O'Grady

(Signature) Rehan O'GRADY

Witnessed by: _____

(Signature of Witness)

28/11/00
Date

TANYA STEPHENS - 12 KINGSFARM AVE RICHMOND TW10 5AB
(Printed name and address of Witness)

Witnessed by: _____

(Signature of Witness)

Date

(Printed name and address of Witness)

Date: 28/11/00

Neil Coleman
(Signature) Neil COLEMAN

Witnessed by: [Signature]
(Signature of Witness)

28/11/00
Date

TANYA STEPHENS - 12 KINGSFARM AVE RICHMOND TW10 5AB
(Printed name and address of Witness)

Witnessed by: _____
(Signature of Witness)

Date

(Printed name and address of Witness)

Date: 28/11/00

[Signature]
(Signature) Felix MARKS

Witnessed by: [Signature]
(Signature of Witness)

28/11/00
Date

TANYA STEPHENS - 12 KINGSFARM AVE RICHMOND TW10 5AB
(Printed name and address of Witness)

Witnessed by: _____
(Signature of Witness)

Date

(Printed name and address of Witness)

Docket No. 3882-3

ASSIGNMENT

WHEREAS, we, David HERRING, a citizen of the United Kingdom, residing at 45 Church Road East, Crowthorne Berkshire RG45 7ND, England, and John CARROLL, a citizen of the United Kingdom, residing at 4543 North O'Connor Road, Apartment 1249, Irving, Texas 75062, and Rehan O'GRADY, a citizen of the United Kingdom, residing at Basement Flat, 32 Addison Avenue, Holland Park, London W11 4QR, England, and Neil COLEMAN, a citizen of the United Kingdom, residing at 40 Belle Vue Rd., Quarry Bank, West Midlands, United Kingdom, DY5 1AD, and Felix MARKS, a citizen of the United Kingdom, residing at 251 Mayall Road, London SE24 OPQ, England have invented one or more inventions (hereinafter referred to as "said invention(s)") disclosed in an application for Letters Patent of the United States titled METHOD AND SYSTEM FOR PREDICTING CAUSES OF NETWORK SERVICE OUTAGES USING TIME DOMAIN CORRELATION (hereinafter referred to as "said application"), said application having been executed on even date herewith;

WHEREAS, Micromuse Inc. (hereinafter together with its successors and assigns referred to as "Assignee"), a Delaware corporation, having a place of business at 139 Townsend Street, San Francisco, CA 94107 USA, is desirous of confirming its ownership of all right, title and interest in, to and under said invention(s) and said application; and

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency of which we hereby acknowledge, we have sold, assigned, transferred and set over, and by these presents hereby sell, assign, transfer and set over to the Assignee all right, title and interest in, to and under said invention(s) and said application, including the right to apply for any Letters Patent of the United States of America and in any and all foreign countries on said invention(s), and any and all other applications for Letters Patent on said invention(s), in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part and convention applications based in whole or in part upon said invention(s) or upon said application, and any and all Letters Patent which may issue thereon in the United States and foreign countries, and any and all reissues, extensions, renewals, divisions, continuations or continuations-in-part of Letters Patent granted for said invention(s) or upon said applications, to the full term or terms for which said Letters Patent may be issued, and every priority right that is or may be predicated upon or arise from said invention(s), said application and said Letters Patent, the same to be held and enjoyed by the Assignee for its own use and benefit fully and entirely as if the same would have been held and enjoyed by us had this Assignment not been made. We hereby authorize the Assignee to file patent applications in any and all countries on any or all of said invention(s) in our names, or in its name, or otherwise as the Assignee may deem advisable, under the International Convention or otherwise.

We hereby authorize the Commissioner of Patents and Trademarks of the United States, and any official of any other country empowered to issue patents, to record this Assignment, and to issue or transfer all said Letters Patent on said invention(s) to the Assignee as owner of all right, title and interest therein, or otherwise as the Assignee may direct, in accordance with the terms of this Assignment.

BRMFS1 227726v1

We hereby represent and warrant that we have the full right to convey the entire right and interest herein assigned, that there are no rights or interests outstanding inconsistent with the rights and interests granted herein, and that we will not execute any instrument or grant or transfer any rights or interests inconsistent with the rights and interests granted herein.

We hereby covenant and agree that we will, upon request of the Assignee, communicate to the Assignee any facts known to us relating to said invention(s) and the history thereof, testify in any legal proceeding, execute all lawful papers including without limitation all divisional, continuing and reissue applications and all rightful oaths and declarations, and generally do all further acts which may be deemed necessary by the Assignee to obtain and enforce proper patent protection for said invention(s) in all countries.

IN TESTIMONY WHEREOF, we have executed this document on the date indicated below.

Date: _____

(Signature) David HERRING

Witnessed by: _____
(Signature of Witness)

Date

(Printed name and address of Witness)

Witnessed by: _____
(Signature of Witness)

Date

(Printed name and address of Witness)

Date: 28/11/00 J. Carroll
 (Signature) John CARROLL

Witnessed by: Row Hammons 11-28-00
 (Signature of Witness) Date

Row Hammons 2515 Lawnview, Carrollton Tx 75006
 (Printed name and address of Witness)

Witnessed by: Paula Bolton 11-28-00
 (Signature of Witness) Date

Paula Bolton 1533 Fireside Way, Irving TX 75060
 (Printed name and address of Witness)

Date: _____ (Signature) Rehan O'GRADY

Witnessed by: _____ Date

(Signature of Witness)

(Printed name and address of Witness)

Witnessed by: _____ Date

(Signature of Witness)

(Printed name and address of Witness)

Date: _____

(Signature) Neil COLEMAN

Witnessed by: _____

(Signature of Witness)

Date

(Printed name and address of Witness)

Witnessed by: _____

(Signature of Witness)

Date

(Printed name and address of Witness)

Date: _____

(Signature) Felix MARKS

Witnessed by: _____

(Signature of Witness)

Date

(Printed name and address of Witness)

Witnessed by: _____

(Signature of Witness)

Date

(Printed name and address of Witness)