

MRD 12/22/00

RI

01-16-2001



HEET U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

To the Honorable Commissioner of Patents		101582519	and original documents or copy thereof.
<b>1. Name of conveying party(ies):</b>  R.L. Callendar and C.A. Heath  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>2. Name and address of receiving party(ies)</b>  Name: <u>Omnicluster Technologies</u>  Internal Address: _____  Street Address: <u>4950 Blue Lake Drive, Suite 904</u>  City: <u>Boca Raton</u> State: <u>FL</u> Zip: <u>33431</u>  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>3. Nature of conveyance:</b>  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of name <input type="checkbox"/> Other _____  Execution Date: <u>December 14, 2000</u>			
<b>4. Application number(s) or patent number(s):</b>  If this document is being filed together with a new application, the execution date of the application is: _____  A. Patent Application No.(s) <u>09/465,675</u> B. Patent No.(s) _____  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>5. Name and address of party to whom correspondence concerning document should be mailed:</b>  Name: <u>Jeffrey I. Kaplan</u>  Internal Address: _____  Street Address: <u>KAPLAN &amp; GILMAN, LLP</u> <u>900 Route 9 North</u>  City: <u>Woodbridge</u> State: <u>NJ</u> Zip: <u>07095</u>		<b>6. Total number of applications and patents involved:</b> <u>1</u>  <b>7. Total fee (37 CFR 3.41).....\$ 40.00</b>  <input checked="" type="checkbox"/> Enclosed  <input type="checkbox"/> Authorized to be charged to deposit account for deficiencies in payment.  <b>8. Deposit account number:</b> _____  (Attach duplicate copy of this page if paying by deposit account)	
01/12/2001 NTHA11 00000088 09465675		DO NOT USE THIS SPACE	
01 FC:581 40.00 DP			
<b>9. Statement and signature:</b> <i>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.</i>  <u>Jeffrey I. Kaplan</u> <u>December 19, 2000</u> Name of Person Signing Signature Date  Total number of pages including cover sheet, attachments, and document: <u>3</u>			

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, DC 20231

PATENT  
REEL: 011417 FRAME: 0670

**Applicants** : **R.L. Callender, et al.**  
**Title of Invention** : **PEER NETWORKING IN  
CONCENTRATED COMPUTER  
CLUSTERS**  
**Date Filed** : **December 17, 1999**  
**Serial No.** : **09/465,675**

**ASSIGNMENT**

WHEREAS, Omnicluster Technologies (hereinafter "Omnicluster"), a corporation of Florida, having a place of business at 4950 Blue Lake Drive, Suite 904, Boca Raton, Florida 33431, and International Business Machines, a corporation having a place of business in Armonk, New York (hereinafter, "IBM"), executed an agreement on August 4th and August 8th, 2000, respectively, entitled "Patent Application Assignment and Know How License" whereby subject to said agreement, IBM assigned all right, title and interest in the above patent application to Omnicluster;

WHEREAS, the parties are desirous of reaffirming that said Agreement is still in force, and that subject to said Agreement, Omnicluster is the owner of all right, title and interest in the above patent application, and should be given full control of the prosecution of such application in the United States Patent Office, and all foreign patent offices,

NOW THEREFORE, for valuable consideration, receipt of which is acknowledged, IBM hereby relinquishes any right it has to prosecute said application (subject to a certain conditional reversionary right under which IBM may require Omnicluster to assign such rights back to IBM under a future written agreement) and directs that all such rights to prosecute said application be conveyed to Omnicluster. IBM hereby provides notice that Omnicluster is, as of August 8, 2000, the owner of such application. Nothing herein shall

be construed as amending, limiting, modifying, or terminating any other agreement between the parties.

INTERNATIONAL BUSINESS MACHINES CORP.


BY: 

NAME: Gerald Rosenthal

TITLE: V.P.

DATE: December 14, 2000

OMNICLUSTER TECHNOLOGIES, INC.

BY: 

NAME: Christopher Fleck

TITLE: CEO

DATE: 11-29-2000