

To the Honorable Commissioner of Patents and



101645548

February 22, 2001

Attorney Dkt: 5577-215

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Gregory M. Callis
Wesley McMillan Devine
Jon Kevin Franks
Lap Thiet Huynh
Alan G. Packett

2-26-01

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

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

International Business Machines Corporation
Armonk, New York 10504

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

3. Nature of conveyance:

☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other _____

Execution Date: February 20, 2001

FEB 26 2001

4. Application Serial No. 09/693,027 Patent No. _____

If this document is being filed together with a new application, the execution date of the application is: February 20, 2001

Additional numbers attached? ☐ Yes ☒ No

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

Timothy J. O'Sullivan
Myers Bigel Sibley & Sajovec
P. O. Box 37428
111 Corning Road, Suite 250
Raleigh, NC 27627

6. Total number of applications and patents involved: 1

40E

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

☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number: **09-0461**

(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.

Timothy J. O'Sullivan

Signature

Date

2/22/01

Total number of pages including cover sheet, attachments and document: 7

ASSIGNMENT

THIS ASSIGNMENT, made by us, **Gregory M. Callis**, a citizen of the United States of America, residing at 102 Waltons Creek Road, Morrisville, North Carolina; **Wesley McMillan Devine**, a citizen of the United States of America, residing at 4604 Thane Court, Apex, North Carolina; **Jon Kevin Franks**, a citizen of the United States of America, residing at 416 Cottonwood Lane, Holly Springs, North Carolina; **Lap Thiet Huynh**, a citizen of the United States of America, residing at 124 Tutbury Place, Apex, North Carolina; and **Alan G. Packett**, a citizen of the United States of America, residing at 13109 Rumford Court, Raleigh, North Carolina;

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in **METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR POLICY BASED DISTRIBUTION OF WORKLOAD TO SUBSETS OF POTENTIAL SERVERS**, for which an application for United States Letters Patent has been executed by us concurrently herewith, and

WHEREAS, **International Business Machines Corporation** (hereinafter referred to as "IBM"), a New York corporation having a principal place of business at Armonk, New York 10504, 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 Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all provisionals, 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, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International

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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 me if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives, and assigns promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 20 day of February, 2001.



Gregory M. Callis (SEAL)

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 20 day of
February, 2001.

Wesley MacMillan (SEAL)
Wesley MacMillan Devine
wmb

RSW920000122US1

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 20 day of
February, 2001.

 (SEAL)
Jon Kevin Franks

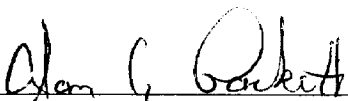
RSW920000122US1

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 20th day of Feb, 2001.

Lap Thiet Huynh (SEAL)
Lap Thiet Huynh

RSW920000122US1

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 20th day of February, 2001.



Alan G. Packett (SEAL)

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