

05-21-2001

FORM PTO-1595
1-31-92

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HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101723764

Docket No. 264/061

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

1. Name of conveying party(ies):
 Vipul J. Pabari,
 Robert L. Willis
 Mark P. Whitehouse
 William G. Wixted
05/07/01
 Additional name(s) of conveying party(ies) attached?
 Yes No

2. Name and address of receiving party:
 Name: eCritical, Inc.
 Internal Address: _____
 City: _____ State: _____ Zip: _____
 Street Address: 12625 High Bluff Drive, #218
 City: San Diego State: CA Zip: 92131
 Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____
 Execution Date: May 7, 2001

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: May 7, 2001

A. Patent Application No(s): _____ B. Patent No(s): _____
 Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: Patric J. Rawlins
 Internal Address: LYON & LYON LLP
 633 West Fifth Street, Suite 4700
 Los Angeles, CA 90071-2066
09/850877

6. Total number of applications and patents involved: 1
 7. Total fee (37 CFR 3.41): \$ 40.00
 Enclosed
 Charge this Deposit Account the required fee and any additional fee that may be required
 8. Deposit Account Number: 12-2475

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.
Patric J. Rawlins
 Patric J. Rawlins, Reg No. 47,887
 Date: May 7, 2001
 Total number of pages including cover sheet: 5

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

Director — U.S. Patent and Trademark Office

Box Assignments

Washington, D.C. 20231

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, VIPUL J. PABARI, a citizen of Tanzania, ROBERT L. WILLIS, a citizen of United States of America, MARK P. WHITEHOUSE, a citizen of United Kingdom and WILLIAM G. WIXTED, a citizen of United States of America (hereinafter referred to as "ASSIGNORS"), have invented a METHOD AND APPARATUS FOR MEASUREMENT, ANALYSIS, AND OPTIMIZATION OF CONTENT DELIVERY for which application for Letters Patent of the United States of America has been executed on even date herewith; and

WHEREAS, **eCritical, Inc.**, a corporation organized and existing under and by virtue of the laws of the State of **California** and having its place of business at **12625 High Bluff Drive, #218, San Diego, California 92131** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto, to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters

Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at La Jolla, California, this 7th day of May, 2001.

Vipul Pabari

VIPUL J. PABARI

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

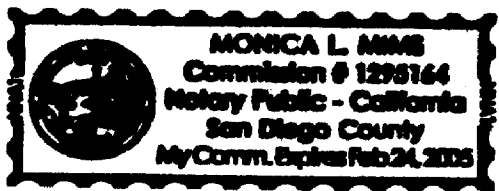
On May 7, 2001 before me, Vipul Pabari, personally appeared
VIPUL J. PABARI

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) 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(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Monica L. Mims

Notary Public in and for said County and State



WITNESS my hand at La Jolla, California, this 7th day of May, 2001.

Robert L. Willis

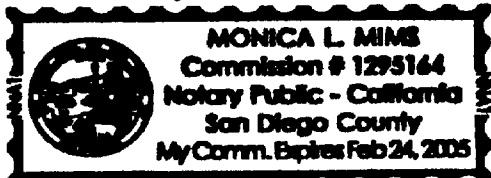
ROBERT L. WILLIS

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

On May 7, 2001 before me, Robert L. Willis, personally appeared
ROBERT L. WILLIS

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WITNESS my hand and official seal.



Monica L. Mims
Notary Public in and for said County and State

WITNESS my hand at La Jolla, California, this 7th day of May, 2001.

Mark P. Whitehouse

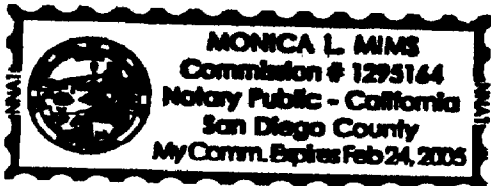
MARK P. WHITEHOUSE

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

On May 7, 2001 before me, Mark P. Whitehouse, personally appeared
MARK P. WHITEHOUSE

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) 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(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Monica L. Mims
Notary Public in and for said County and State

