

03-19-2002

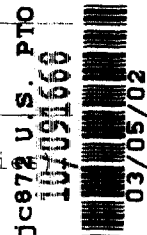
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DOCKET: TUC920010117US1
US Department of Commerce
Patent & Trademark Office

102021211

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



1. Name of conveying party(ies):

Kamal Emile DIMITRI
John Edward KULAKOWSKI
Rodney Jerome MEANS

03/05/02

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

Name: International Business
Machines Corporation

Street Address: New Orchard Road
City: Armonk State: NY ZIP: 10504

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

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

3. Nature of conveyance:

XX Assignment Execution Date: February 28, 2002

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: March 5, 2002

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes **XX** No

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

Name: Dale F. Regelman
Address: Law Office of Dale F. Regelman
4231 S. Fremont Avenue
Tucson, Arizona 85714

03/13/2002 EHA:LE1 00000036 10091668

04 FC:581

40.00 OP

6. Total Number of applications and patents
involved: One

7. Total fee (37 CFR 3.41).....\$ 40.00
XX Enclosed (Form PTO-2038). Any excess
or insufficiency should be credited
or debited to deposit account
— Authorized to be charged to
deposit account
(Duplicate Copy Attached)

8. Deposit Account Number:

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.

Dale F. Regelman

March 5, 2002

Date

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

/- 3 -/

ASSIGNMENT

Docket No. TUC920010117US1

Page 1 of 1

Whereas, we

(1) Kamal Emile Dimitri of Tucson, County of Pima and State of Arizona,
and (2) John Edward Kulakowski of Tucson, County of Pima and State of Arizona,
and (3) Rodney Jerome Means of Tucson, County of Pima and State of Arizona,

have invented certain improvements in

APPARATUS AND METHOD TO PROVIDE FAILOVER PROTECTION TO A DATA STORAGE AND RETRIEVAL SYSTEM

and executed, respectively, a United States patent application therefor on

- (1) Kamal Emile Dimitri, 2002 (2) John Edward Kulakowski, 2002
(3) Rodney Jerome Means, 2002.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and I request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said application to IBM, its successors and assigns; and I hereby agree that IBM may apply for foreign Letters Patent on said invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

(1) at Tucson, AZ
on 2/28, 2001,

Kamal Emile Dimitri
Kamal Emile Dimitri

(2) at Tucson, AZ
on 2/28, 2002,

John Edward Kulakowski
John Edward Kulakowski

(3) at Tucson, AZ
on 2/28, 2002,

Rodney Jerome Means
Rodney Jerome Means

IBM CONFIDENTIAL