

04-24-2002

FORM PTO-1595  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)



102067413

U.S. Department of Commerce  
Patent and Trademark Office

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

## 1. Name of conveying party(ies):

Thomas Hammel  
Kirk Alton Bradley  
Mark J. Rich

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

## 3. Nature of conveyance:

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

Execution Date: April 3, 2002

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

Name: SkyPilot Network, Inc.

Internal Address:

Street Address: 1301 Shoreway Road, Suite 211

City: Belmont State: CA Zip: 94002-4106

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

J1046 U.S. PTO  
10/122583  
04/13/02

## 4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is: April 15, 2002 (Date of Filing)

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: W. Eric Webostad

Internal Address: \_\_\_\_\_

Street Address: 350 Cambridge Avenue, Suite 250

City: Palo Alto State: CA Zip: 94306

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. 3.41)----- \$ 80.00

☐ Enclosed

☒ Authorized to be charged to deposit account

SKY/004-4

## 8. Deposit account number:

20-0782/ SKY/004-4

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.

W. Eric Webostad, Reg. No. 35,406

Name of Person Signing

*[Signature]* 4-12-02  
Signature Date

Total number of pages including cover sheet, attachments and document: 4

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

04/23/2002 LMKELLER 00000210 200782 10122583

01 FC:581 40.00 CH

PATENT  
REEL: 012812 FRAME: 0314

ASSIGNMENT

WHEREAS, We,

**Kirk Alton Bradley**  
of 232 Willow Road,  
Menlo Park, California, 94025, and

**Mark J. Rich**  
of 160 Santa Margarita,  
Menlo Park, California, 94025,

(hereinafter collectively and singly "ASSIGNOR") are named as inventors for a provisional application for Letters Patent identifiable in the United States Patent and Trademark Office by title, application number and filing date as:

**NETWORK CHANNEL ACCESS PROTOCOL**

Application Number 60/284,678  
Filed on April 18, 2001

and an application for Letters Patent, claiming priority to such provisional application, identifiable in the United States Patent and Trademark Office by its title of invention, name of each inventor and date of execution as:

**NETWORK CHANNEL ACCESS PROTOCOL – SLOT SCHEDULING**

Invented by Thomas Hammel, Kirk Alton Bradley and Mark J. Rich  
Executed on the 3<sup>rd</sup> day of April, 2002;

WHEREAS, **SkyPilot Network, Inc.**, a corporation of the State Delaware of the United States of America having a place of business at 1301 Shoreway Road, Suite 211, Belmont, CA 94002-4106 (hereinafter "ASSIGNEE") is desirous of acquiring and/or perfecting its entire right, title and interest in, to and under the application, including, but not limited to, any and all inventions therein described:

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the invention, and the United States application and all divisions, renewals and continuations (including all continuation-in-part applications) thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models and designs which may hereafter be filed for the invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from the United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility

models, inventor's certificates and designs which may be granted for the invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND ASSIGNOR authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR covenants and agrees that it has full right to convey the entire interest assigned, and that it has not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR further covenants and agrees that it will communicate to the ASSIGNEE, its successors, legal representatives and assigns, any facts known to ASSIGNOR regarding the invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for the invention in all countries. ASSIGNEE shall pay for all reasonable, ASSIGNEE pre-approved out-of-pocket expenses associated with ASSIGNOR's timely assistance as set forth in this paragraph.

IN TESTIMONY WHEREOF, ASSIGNOR hereunto set our hand and seal this 3<sup>rd</sup> day of April, 2002.

  
Kirk Alton Bradley, ASSIGNOR

  
Mark J. Rich, ASSIGNOR

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

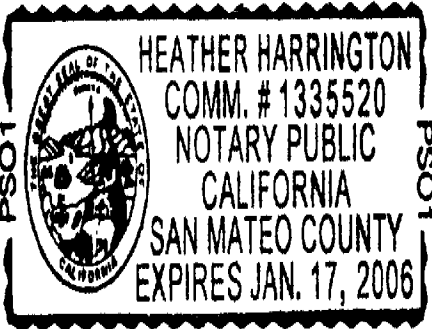
State of California

County of San Mateo

On 4/3/02 before me, Heather Harrington  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Kirk Alton Bradley & Mark J. Rich  
NAME(S) OF SIGNER(S)

☐ 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.

Heather Harrington  
SIGNATURE OF NOTARY

## OPTIONAL SECTION

### CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL  
☐ CORPORATE OFFICER(S)

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: \_\_\_\_\_

### SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

## OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT Assignment

NUMBER OF PAGES 2 DATE OF DOCUMENT 4/3/02

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

ASSIGNEE, hereby authorizes and requests its attorney, W. Eric Webostad of Moser, Patterson & Sheridan, LLP, 350 Cambridge Avenue, Suite 250, Palo Alto, California, 94306-1553, to insert application number and filing date in the below indicated locations for the aforesaid application for Letters Patent entitled NETWORK CHANNEL ACCESS PROTOCOL – SLOT SCHEDULING after knowledge of same is obtained from the United States Patent and Trademark Office:

Application Number \_\_\_\_\_, Application Filing Date \_\_\_\_\_.

SKYPILOT NETWORK INC.

By:

Bernadette Yetso

Bernadette Yetso,  
VP Corporate Operations  
1301 Shoreway Road, Suite 211,  
Belmont, CA 94002-4106

Date: 3 apr 11, 2002

ASSIGNMENT

WHEREAS, I,

**Thomas Hammel**  
of 207 Prospect Avenue,  
San Francisco, California, 94110

(hereinafter "ASSIGNOR") am named as an inventor for a provisional application for Letters Patent identifiable in the United States Patent and Trademark Office by title, application number and filing date as:

**NETWORK CHANNEL ACCESS PROTOCOL**

Application Number 60/284,678

Filed on April 18, 2001

and am named as an inventor for an application for Letters Patent, claiming priority to such provisional application, identifiable in the United States Patent and Trademark Office by its title of invention, name of each inventor and date of execution as:

**NETWORK CHANNEL ACCESS PROTOCOL – SLOT SCHEDULING**

Invented by Thomas Hammel, Kirk Alton Bradley and Mark J. Rich

Executed on the 3 day of April, 2002; and

WHEREAS, **SkyPilot Network, Inc.**, a corporation of the State Delaware of the United States of America having a place of business at 1301 Shoreway Road, Suite 211, Belmont, CA 94002-4106 (hereinafter "ASSIGNEE") is desirous of acquiring and/or perfecting its entire right, title and interest in, to and under the application, including, but not limited to, any and all inventions therein described; and

WHEREAS, **Fantastic Data LLC**, a California limited liability company having a business address at 207 Prospect Avenue, San Francisco, California, 94110, and having executed a Consultant Agreement effective April 10, 2000, incorporated and merged herein by reference, agreed to make all assignments necessary for ownership in ASSIGNEE of any and all inventions as defined in said Consultant Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Fantastic Data LLC and Thomas Hammel** (hereinafter singly and collectively "ASSIGNOR"), have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the invention, and the United States application and all divisions, renewals and continuations (including all continuation-in-part applications) thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents which may hereafter be filed for the invention in any country or countries foreign to the United States, together with the right to file

such applications and the right to claim for the same the priority rights derived from the United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, which may be granted for the invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND ASSIGNOR authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

AND ASSIGNOR covenants and agrees that it has full right to convey the entire interest assigned, and that it has not executed, and will not execute, any agreement in conflict herewith;

AND ASSIGNOR acknowledges its prior and continuing obligation to assist ASSIGNEE, at ASSIGNEE's expense, to further evidence, record and perfect this Assignment, and to perfect, obtain, maintain, enforce, and defend any rights assigned hereunder.

IN TESTIMONY WHEREOF, ASSIGNOR hereunto set our hand and seal this  
3 day of April, 2002.

  
Thomas Hammel, ASSIGNOR

  
Thomas Hammel, as a Member of Fantastic Data LLC, ASSIGNOR

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California  
 County of San Mateo  
 On 4/3/02 before me, Heather Harrington  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"  
 personally appeared Thomas Hammel  
NAME(S) OF SIGNER(S)

☐ 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.

Heather Harrington  
SIGNATURE OF NOTARY

## OPTIONAL SECTION

### CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

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☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: \_\_\_\_\_

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SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_



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Application Number \_\_\_\_\_, Application Filing Date\_\_\_\_\_.

SKYPILOT NETWORK INC.

By: *Bernadette Yetso*  
Bernadette Yetso,  
VP Corporate Operations  
1301 Shoreway Road, Suite 211,  
Belmont, CA 94002-4106

Date: *3rd April*, 2002