

05-24-2002

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ginal documents or copy thereof.
address of receiving party (ies)

10/145030
05/15/02

To the Honorable Commissioner of Paten

1. Name of conveying parties:

Foster, Robin Harris and Hagan, Jeffrey H.

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

05/15/02

3. Nature of Conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: 5/2/02 and 5/10/02

Name: Avaya Technology Corporation

Internal Address: _____

Street Address: 211 Mount Airy Road

City: Basking Ridge State: NJ Zip: 07920

Additional name(s) & address(es) attached: Yes No

4. Application number(s) or patent number(s):

10/145030

If this document is being filed together with a new application, the execution date of the application is: 5/2/02 & 5/14/02

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: John E. Curtin, Esquire

Internal Address: 1660 International Drive, Suite 600
Tysons Corner

Street Address:

City: McLean State: VA Zip: 22102

6. Total number of applications and patents involved: 1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 50-1602

(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.

John E. Curtin
Name of Person signing

[Signature]
Signature

May 15, 2002
Date

Total number of pages including cover sheet, attachments, and document: 3

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

05/23/2002 DBYRNE 00000136 501602 10145030
01 FC:581 40.00 CH

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PATENT
REEL: 012915 FRAME: 0172

ASSIGNMENT AND AGREEMENT


For value received, we, Robin Harris Foster of Little Silver in the County of Monmouth and State of New Jersey and Jeffrey H. Hagan of Phoenix in the County of Maricopa and State of Arizona, hereby sell, assign and transfer to Avaya Technology Corp., a corporation of the State of Delaware, having an office at 211 Mount Airy Road, Basking Ridge, New Jersey 07920, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **METHODS AND DEVICES FOR BALANCING COMMUNICATIONS USING MATCH RATES** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Avaya Technology Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Avaya Technology Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Avaya Technology Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Avaya Technology Corp. in the United States and in all countries foreign to the United States, or to such nominees as Avaya Technology Corp. may designate.

We agree that, when requested, we shall, without charge to Avaya Technology Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.



Robin Harris Foster


Date: MAY 10, 2002

United States of America)

State of NEW JERSEY) ss.:

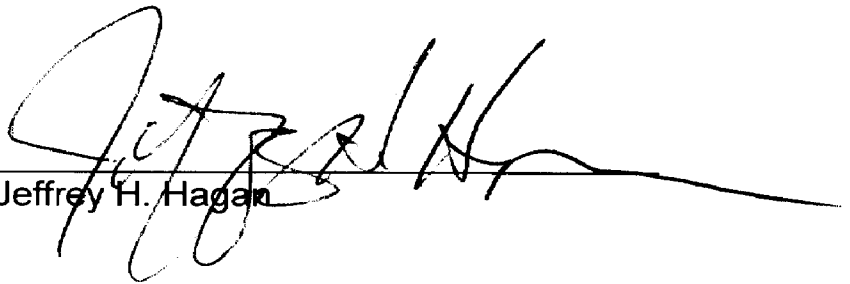
City of MONMOUTH)

On this 10th day of MAY, 2002, before me personally came Robin Harris Foster, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



Notary Public

JASON M. HUNT
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 9/19/2006



Jeffrey H. Hagan

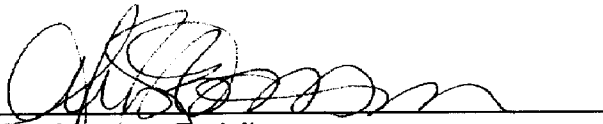
Date: 5-2-2002

United States of America)

State of ARIZONA) ss.:

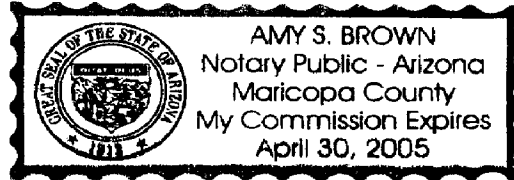
County of MARICOPA)

On this 2nd day of May, 2002, before me personally came Jeffrey H. Hagan, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



Notary Public

Avaya Inc.
101 Crawfords Corner Road (Room 1L-202)
P. O. Box 629
Holmdel, New Jersey 07733-3030



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