

07-05-2002



Attorney Docket No. 10017586-1

102145031

1. Name of conveying party(i).

Patrick Weldon Fulghum
Theresa A. Burkes

07/01/02

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

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

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INNOVATION SECTION

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

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

3. Nature of Conveyance:

☒ Assignment

___ Merger

___ Change of Name

___ Security Agreement

___ Other

Execution Date(s): 04/17/2002

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

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

A. Patent Application No.(s)

B. Patent No.(s)

Application No.: 10/125,507

Date Filed: 04/19/2002

Confirmation No.: 2454

Additional numbers attached? NO

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

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HEWLETT-PACKARD COMPANY
P.O. Box 272400
Fort Collins, Colorado 80527-2400

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41): \$40.00

___ Enclosed

☒ Authorization to be charged to deposit account.

8. Deposit Account Number: 08-2025

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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.

Terri Walker

Name of Person Signing

Terri Walker
Signature

June 24, 2002
Date

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

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PATENT APPLICATION

ATTORNEY DOCKET NO. 10017586-1

ASSIGNMENT OF PATENT APPLICATION

I/We, the undersigned (each) have agreed and hereby agree to assign to HEWLETT-PACKARD COMPANY, a Delaware corporation having its principal place of business in Palo Alto, California, (hereinafter HP), in furtherance of my/our obligations to HP, and do hereby assign and transfer to HP, its successors and assigns, the entire right, title and interest, including the right of priority, in, to and under an application for Letters Patent of the United States entitled:

Available Server Determination

Filing date: April 19, 2002 Application No.: 10/125507

and the invention(s) and improvement(s) set forth therein, and any and all continuations, continuations-in-part (C-I-P's), divisionals, and renewals of and substitutes for said application for said Letters Patent, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor; and any reissues, or reexaminations, or extensions of said Letters Patent.

I/we additionally authorize HP to file applications in my/our name for Letters Patent in any country, to be held and enjoyed by HP, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by me/us had this assignment, and transfer not been made;

AND I/we hereby covenant that I/we have full right to convey the entire interest herein assigned, and that I/we have not executed and will not execute any agreement in conflict herewith, and I/we further covenant and agree that I/we will, each time a request is made, and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said invention(s) or improvement(s), said application and said Letters Patent, to HP, its successors, assigns, nominees or legal representatives, and I/we agree to communicate to HP, or to its nominee, all known facts respecting said invention(s) or improvement(s), said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers, to execute all disclaimers and divisionals, continuations, C-I-P's, reissue and foreign applications, to make all rightful oaths and declarations, and generally to do everything possible to aid HP, its successors, assigns, nominees and legal representatives to obtain and enforce, for its or their own benefit, proper patent protection for said invention(s) or improvement(s) in any and all countries provided the expenses which may be incurred by me/us in lending such cooperation and assistance are paid by HP;

AND I/we hereby authorize and request 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 on applications as aforesaid, to issue to HP, as assignee of the entire right, title and interest, any and all Letters Patent for said invention(s) or improvement(s), including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

I/we further authorize and direct HP attorneys to insert the serial number and filing date of said application now identified by the attorney docket number and title set forth above as soon as the same shall have been made known to them by the United States Patent and Trademark Office.

IN WITNESS WHEREOF, I/we hereunto set my/our hand(s) and seal(s):

Patrick Weldon Fulghum Date Assignment Signed: April 17, 2002
Inventor's Signature (Seal)

Inventor's Typed Name: Patrick Weldon Fulghum Date Application Signed: April 17, 2002

State of _____)
County of _____) ss.:

Before me this _____ day of _____, personally appeared Patrick Weldon Fulghum who is personally known or proved to me on the basis of satisfactory evidence to be the person who acknowledged the foregoing instrument of assignment to be his/her free act and deed.

Notary Public
My commission expires:

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P. O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10017586-1

ASSIGNMENT OF PATENT APPLICATION (cont.)

IN WITNESS WHEREOF, I we hereunto set my/our hand(s) and seal(s):

Theresa A. Burkes
Inventor's Signature (Seal)

Date Assignment Signed: 4/17/02

Inventor's Typed Name: Theresa A. Burkes

Date Application Signed: 4/17/02

State of _____)
County of _____) ss.:

Before me this _____ day of _____, personally appeared Theresa A. Burkes who is personally known or proved to me on the basis of satisfactory evidence to be the person who acknowledged the foregoing instrument of assignment to be his/her free act and deed.

Notary Public
My commission expires: _____

Date Assignment Signed: _____

Inventor's Signature (Seal)

Inventor's Typed Name: _____

Date Application Signed: _____

State of _____)
County of _____) ss.:

Before me this _____ day of _____, personally appeared _____ who is personally known or proved to me on the basis of satisfactory evidence to be the person who acknowledged the foregoing instrument of assignment to be his/her free act and deed.

Notary Public
My commission expires: _____

Date Assignment Signed: _____

Inventor's Signature (Seal)

Inventor's Typed Name: _____

Date Application Signed: _____

State of _____)
County of _____) ss.:

Before me this _____ day of _____, personally appeared _____ who is personally known or proved to me on the basis of satisfactory evidence to be the person who acknowledged the foregoing instrument of assignment to be his/her free act and deed.

Notary Public
My commission expires: _____