

08-28-2002

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

1. Name of conveying party(ies):

SkyDesk, Inc.

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

3. Nature of conveyance:

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

Execution Date: June 3, 2002

2. Name and address of receiving party(ies)

Name: SwapDrive, Inc.

Internal Address: _____

Street Address: 1313 F Street NW

City: Washington State: DC Zip: 20004

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

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

A. Patent Application No.(s)

09/239,475 09/374,940 09/422,847 09/541,287
09/542,020 09/615,576 09/693,363 09/738,043

B. Patent No.(s)

5,794,254 6,049,874 6,014,676 6,038,665 6,263,363

Additional numbers attached? ☐ Yes ☒ No

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

Name: Cooley Godward LLP

Internal Address: Patent Group

Street Address: Five Palo Alto Square

3000 El Camino Real

City: Palo Alto State: CA Zip: 94306-2155

6. Total number of applications and patents involved: 13

7. Total fee (37 CFR 3.41) \$520.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number: 03-3117

(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.

Kevin J. Zimmer, Reg. 36,977

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: [8]

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

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on August 8, 2002.

08/27/2002 LMUELLER 00000116 033117 09239475

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520.00 CH

By: Carrie E. Bickle

Carrie E. Bickle

ASSIGNMENT OF PATENT RIGHTS

SKYDESK, INC., a Delaware corporation ("*Assignor*"), owns the entire right, title and interest in and to invention(s) relating to certain new and useful improvements set forth in the Letters Patent listed on **Schedule A** and the Patent Applications listed on **Schedule B**, both of which are attached hereto and incorporated herein.

WHEREAS, SWAPDRIVE, INC., a Delaware corporation ("*Assignee*"), is desirous of acquiring the entire right, title, and interest in and to said invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications, including provisional applications, for Letters Patent of the United States or other countries claiming priority to said applications, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to (i) the Letters Patent and Patent Applications listed on Schedules A and B, together with all claims for damages by reason of past infringement thereof, with the right to sue for, and collect the same for Assignee's own benefit, (ii) the above-mentioned invention(s), (iii) the right to file applications on said invention(s) and (iv) the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and (v) any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and (vi) in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the Paris Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is the sole and lawful owner of the entire right, title, and interest in and to the invention(s) set forth in said Letters Patent(s) and in said applications and said Letters Patent(s), including, without limitation, said Letters Patent and Patent Applications listed on Schedules A and B, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said invention(s) or said applications for Letters Patent (including, without limitation, said Patent Applications listed on Schedule B) or Patents (including, without limitation, said Letters Patent listed on Schedule A), or any proceeding in connection with Letters Patent or Patents for said invention(s) in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent or Patents for said invention(s), without charge to the Assignee, its successors,

legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said invention(s) and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date: _____

By: _____

Name:

Title:

Company:

State of:

County of:

The preceding Assignment was acknowledged before me this _____ day of

_____ by _____.

Notary Public

My Commission Expires:

Date: 6/3/02

By: [Signature]
Name: JAMES C. KELLY
Title: CEO/PRES
Company: SKYPEER

State of:

County of:

see attached.

The preceding Assignment was acknowledged before me this _____ day of

_____ by _____.

Notary Public

My Commission Expires:

JE CALIFORNIA
ACKNOWLEDGMENT
ALL-PURPOSE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

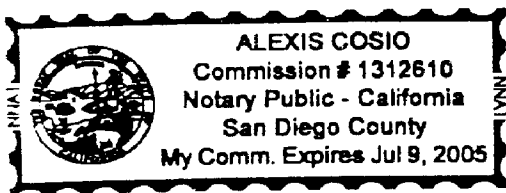
County of San Diego } ss.

On June 3, 2002, before me, Alexis Cosio, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared James C Kelly
Name(s) of Signer(s)

- ☐ personally known to me
☒ 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.



Place Notary Seal Above

WITNESS my hand and official seal.

Alexis Cosio
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Assignment of Patent Rights

Document Date: June 3, 2002 Number of Pages: 6

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer

Signer's Name: James C. Kelly

- ☐ Individual
☒ Corporate Officer — Title(s): CEO / Pres.
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: Sky Desk Inc.



SCHEDULE A**LETTERS PATENT**

U.S. Patent No.	Issue Date	Title and Inventor(s) or Applicant(s)
5,794,254	08/11/98	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Fred W. McClain
6,049,874	04/11/00	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): McClain, Bolt
6,014,676	01/11/00	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): McClain
6,038,665	03/14/00	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Bolt , McClain
6,263,363	07/17/01	SYSTEM AND METHOD FOR CREATING AN INTERNET-ACCESSIBLE WORKING REPLICA OF A HOME COMPUTER ON A HOST SERVER CONTROLLABLE BY A USER OPERATING A REMOTE ACCESS CLIENT COMPUTER Inventor(s): Rosenblatt

SCHEDULE B
PATENT APPLICATIONS

DOCKET NO.	FILING DATE	SERIAL NO.	TITLE AND INVENTOR(S) OR APPLICANT(S)
1083.CAN	06/02/99	2,273,920 (based on US97/22065)	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Fred W. McClain
1083.EUR		Euro no. 97949724.5 (based on US 97/22/06)	SYSTEM & METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Fred W. McClain
1083.JPN	11/28/97	527752 (based on US 97/22065)	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Fred W. McClain
1083-1.CP3	01/28/99	US 09/239,475	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Mickelsen, Bolt, McClain
1083.005	08/16/99	US 09/374,940	SYSTEM AND METHOD FOR RESTORING COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Mickelsen
1083-5.EP	03/06/00	00200777.1	SYSTEM AND METHOD FOR RESTORING COMPUTER FILES OVER A WIDE ARE COMPUTER NETWORK Inventor(s): Mickelsen
1083.006A	04/03/00	US 09/542,020	SYSTEM AND METHOD FOR RECEIVING AND STORING COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Mickelsen, et al.

DOCKET NO.	FILING DATE	SERIAL NO.	TITLE AND INVENTOR(S) OR APPLICANT(S)
1083.009A (CIP of 1083.005)	04/03/00	US 09/541,287	SYSTEM AND METHOD FOR RESTORING COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Mickelsen, et al.
1083.010	07/13/00	US 09/615,576	SYSTEM AND METHOD FOR COMMUNICATION IN CONTEXT VIA A COMPUTER NETWORK Inventor(s): Kochevar, et al.
1083.012 (CIP of 1083.009)	10/20/00	US 09/693,363	SYSTEM AND METHOD FOR TRANSFERRING COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Mickelsen et al.
1083C3.EUR (based on PCT/US99/05248)			SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s): Mickelsen, Bolt, McClain
1083C3.CAN	03/11/99	2,323,522	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE AREA COMPUTER NETWORK Inventor(s) Mickelsen, Bolt, McClain
1083C3.JPN (based on PCT/US99/05248)	03/11/99	2000-535980	SYSTEM AND METHOD FOR BACKING UP COMPUTER FILES OVER A WIDE ARE COMPUTER NETWORK Inventor(s): Mickelsen, Bolt, McClain
1083.013	12/15/00	US 09/738,043	SYSTEM AND METHOD FOR E-COMMERCE VERIFICATION Inventor(s): McClain

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