

11-22-2002

Atty. Docket No. 4366-80  
Avaya Ref. No. 402020-A-01-US

FORM PTO-1596

RECORD



DEPARTMENT OF COMMERCE

(Rev. 6-23)

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Patent and Trademark Office

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

1. Name of conveying party(ies):

William T. Walker  
James E. Rhodes  
Robert J. Serkowski  
Lawrence J. Morgan  
Mohana Krishnan Gopalakrishna

11-13-02

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

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

Name: Avaya Technology Corp.  
Internal Address: \_\_\_\_\_  
Street Address: 211 Mount Airy Road  
City: Basking Ridge State: NJ Zip: 07920

Additional name(s) & Address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: 10/22/02, 10/24/02, 10/23/02

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: \_\_\_\_\_

A. Patent Application No.(s) 10/231,999

B. Patent No.(s)

Additional numbers attached?  Yes  No

RECEIVED  
NOV 13 11 09 50 AM '02  
PATENT SECTION

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

Name: Douglas W. Swartz  
SHERIDAN ROSS P.C.  
1560 Broadway, Suite 1200  
Denver, CO 80202-5145

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)

11/21/2002 LABELER 00000119 301602 10231999  
01 FC 0021 40.00 CH

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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.

Douglas W. Swartz  
Reg. No. 37,739

Douglas Swartz  
Signature

Nov. 1, 2002  
Date

Total number of pages including cover sheet, attachments, and document: 7

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

## ASSIGNMENT AND AGREEMENT

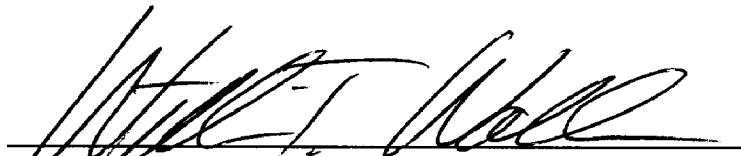
For value received, we, **William T. Walker** of 1531 Prouty Drive, Evergreen, Colorado 80439, **James E. Rhodes** of 3450 Heidelberg Drive, Boulder, Colorado 80305, **Robert J. Serkowski** of 1087 East 15th Avenue, Broomfield, Colorado 80020, **Lawrence J. Morgan** of 12248 Wolffe Drive, Broomfield, Colorado 80020, and **Mohana Krishnan Gopalakrishna** of 2658 132nd Avenue, Thornton, Colorado 80241, 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 "**FLEXIBLE LICENSE FILE FEATURE CONTROLS**" for which an application for Letters Patent of the United States has been prepared and filed on August 30, 2002, receiving Serial No. 10/231,999, 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.

  
\_\_\_\_\_  
William T. Walker

Date: 10/22/02

United States of America     )  
State of Colorado            ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2002, before me personally came **William T. Walker**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

\_\_\_\_\_  
Notary Public


  
\_\_\_\_\_  
**James E. Rhodes**

Date: 10/24/02

United States of America     )  
State of Colorado            ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2002, before me personally came **James E. Rhodes**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

\_\_\_\_\_  
Notary Public

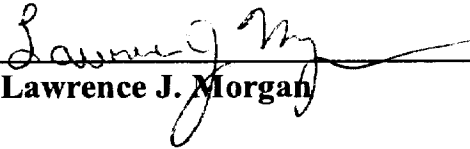
  
\_\_\_\_\_  
Robert J. Serkowski

Date: 10/23/02

United States of America     )  
State of Colorado            ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2002, before me personally came **Robert J. Serkowski**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

\_\_\_\_\_  
Notary Public

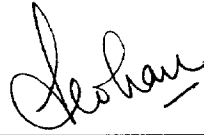
  
\_\_\_\_\_  
**Lawrence J. Morgan**

Date: October 22, 2002

United States of America     )  
State of Colorado            ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2002, before me personally came **Lawrence J. Morgan**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

\_\_\_\_\_  
Notary Public



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**Mohana Krishnan Gopalakrishna**

Date: 10 / 22 / 2002

United States of America     )  
State of Colorado            ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2002, before me personally came **Mohana Krishnan Gopalakrishna**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

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Notary Public

**Avaya Technology Corp.**  
**211 Mount Airy Road**  
**Basking Ridge, New Jersey 07920**