

07-22-2003

Form PTO-1595

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

Tab settings



102503333

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office21908 U.S. PTO
10/618208
07/11/03

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

1. Name of conveying party(ies):

Christopher F. Parker
Donald W. Black

2. Name and address of receiving party(ies)

Name: Ken Sidelinger

Internal Address: BMC Software, Inc.

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

3. Nature of conveyance:

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

Street Address: 2101 CityWest Blvd.

City: Houston State: TX Zip: 77042

Execution Date: 7/11/2003

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

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: 7/11/2003

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: Coe F. Miles

Internal Address: Wong, Cabello, Lutsch,
Rutherford & Bruculeri L.L.P.

Street Address: 20333 SH 249

Suite 600

City: Houston State: TX Zip: 77070

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:

501922 (149-0104US)

(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.

Coe F. Miles

Name of Person Signing

Signature

July 11, 2003

Date

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

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

PATENT

REEL: 014284 FRAME: 0196

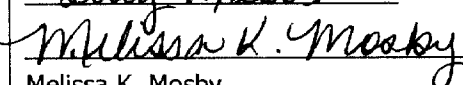
07/21/2003 LINE 1159 0000276 501922 10618208

40.00 01 FC:0021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Christopher F. Parker and Donald W. Black
Title : Outage-Less Database Change Operation
Serial No. : Unknown Docket : 149-0104US
Filed : Herewith Client Ref: 02-015-US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<p>CERTIFICATE OF MAILING (37 C.F.R. 1.10)</p> <p>The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Express mail label number EV195559815US on</p> <p><u>July 11, 2003</u></p> <p> Melissa K. Mosby</p>

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which is hereby acknowledged, the undersigned do hereby:

SELL, ASSIGN AND TRANSFER to BMC SOFTWARE, INC., (the "Assignee"), a corporation of Delaware having a place of business at 2101 CityWest Blvd., Houston, TX 77042 the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent identified above, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on any

and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Executed on 07/02/03 by Christopher F. Parker
Date Christopher F. Parker

STATE OF TEXAS

County of Travis

BEFORE ME, this 2nd day of July, 2003, personally appeared the above-named individuals, to me known to be the persons who are described in and who executed the foregoing assignment instrument and acknowledged to me that they executed the same of their own free will for the purposes therein expressed.

SEAL

[Signature]
Notary or Consular Officer
My Commission Expires: 2/10/2007

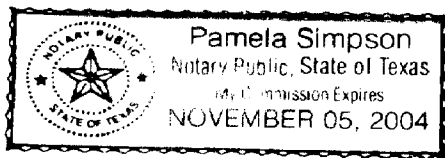
Executed on July 3, 2003 by Mary D Black
Date Mary D. Black,
Signing as Executor for Donald W. Black

STATE OF TEXAS

County of Texas

BEFORE ME, this 3 day of July 2003 personally appeared the
above-named individuals, to me known to be the persons who are described in and who
executed the foregoing assignment instrument and acknowledged to me that they
executed the same of their own free will for the purposes therein expressed.

SEAL



Pamela Simpson
Notary or Consular Officer
My Commission Expires: 7/3/03