


Recordation Form Cover Sheet PATENTS ONLY		Attorney Docket No.: <u>042390.P19172X2</u>
To the Director of the United States Patent and Trademark Office. Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies): <u>Scale Eight, Inc.</u> Additional name(s) of conveying party(ies) attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	2. Name and address of receiving party(ies): Name: <u>Intel Corporation</u> Internal Address: _____ Street Address: <u>2200 Mission College Blvd.</u> City: <u>Santa Clara</u> State/Province: <u>CA</u> Zip: <u>95052-4040</u> Country: <u>U.S.A.</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of Conveyance <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: _____ Execution Date(s): <u>11/6/03</u>	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) <u>09/753,336</u> B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Blakely, Sokoloff, Taylor & Zafman LLP</u> Internal Address: _____ Street Address: <u>12400 Wilshire Boulevard, 7th Floor</u> <u>Los Angeles, California 90025</u>	6. Total number of applications and patents involved: 1 7. Total Fee (37 CFR 3.41).....\$ 40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit Account Number: <u>02-2666</u> (Attach duplicate copy of this page if paying by deposit account)	
DO NOT USE THIS SPACE		
9. Statement and signature. <i>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.</i>		
<u>Edwin H. Taylor, Reg. No. 25,129</u> Name of Person Signing	<div style="text-align: center;">  Signature </div> <div style="text-align: right;"> <u>3/8/04</u> Date </div>	
Total number of pages including cover sheet, attachments, and documents: 4		

Mail documents to be recorded with required cover sheet information to:
 Mail Stop Assignment Recordation Services
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Based on Form PTO-1595 as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 05/09/03

Assignment of Patent Rights

Whereas, Scale Eight, Inc., a Delaware corporation, with an office at 625 Second Street, Suite 101, San Francisco, CA 94107 (hereinafter Scale Eight) is the sole and exclusive owner of certain United States and/or foreign patents and/or patent applications listed in Exhibit A annexed hereto (collectively referred to as the "Patents"); and

Whereas Intel Corporation, a Delaware corporation, with an office at 2200 Mission College Blvd., California 95052, (hereinafter INTEL) is desirous of acquiring the right, title and interest in, to and under the said Patents (and all foreign counterparts and related foreign patents).

Now, Therefore,

For good and valuable consideration, the receipt of which is hereby acknowledged, Scale Eight does hereby sell, assign, transfer and set over to INTEL, the Patents aforesaid, and any inventions claimed in said Patent, any reissue or reissues of said Patents already granted and which may be granted, any certificates of reexamination already granted and which may be granted the same to be held and enjoyed by INTEL for its own use and enjoyment, and for the use and enjoyment of its successors, assigns or other legal representatives, to the end of the term or terms for which said Patents are or may be granted, reissued or extended as fully and entirely as the same would have been held and enjoyed by Scale Eight, if this assignment and sale had not been made; together with all claims for damages by reason of past infringement of said Patents, with the right to sue for, and collect the same for its own use and behalf, and for the use and behalf of its successors, assigns or other legal representatives.

And, Scale Eight, hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all Letters Patents of the United States on said inventions to INTEL as assignee of the entire interest, and hereby covenants that Scale Eight has full right to convey the entire interest herein assigned, and that, except as otherwise provided between the parties, Scale Eight has not executed, and will not execute, any agreements in conflict therewith.

In Witness Whereof, the parties, by their duly authorized representatives, have executed this Assignment.

DATE: November 6, 2003

By: David McDonald
Printed/Typed Name

Title: Former VP Finance

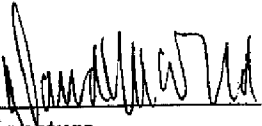

Signature

EXHIBIT A

Transferred Patents and Patent Applications

Pending Patent Applications

Application	Title
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US 09/753,336	A Failover Architecture for Local Devices That Access Remote Storage
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TAYLOR & (408) 720-8300 (Telephone)
ZAFMAN (408) 720-8383 (Facsimile)

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Firm Name: U.S. PATENT AND TRADEMARK OFFICE
Fax Number: (703) 306-5995 Telephone No.: (703) 308-9723
From: Edwin H. Taylor, Esq.
Date: 3/18/04 Time: 2:30 p.m.
Operator: Debra Milbourne Matter: 042390.P19172X2
Number of pages including cover sheet: 5
In Re Patent Application of: J. Coates, P. Bozeman, A. Jones, T. Gautier
Application No.: 09/753,336
Filed: December 29, 2000
For: Failover Architecture for Local Devices That Access Remote Storage

Enclosed are the following documents

- Recordation Form Cover Sheet
- Assignment Document from Scale Eight to Intel Corporation

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

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