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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):

Namik Hrle

Additional name(s) of conveying party(ies) attached?

[ ] Yes [X] No

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

Name: **International Business Machines Corporation**

Street Address: **New Orchard Road**  
City: **Armonk** State: **NY** ZIP: **10504**

Additional name(s) & address(es) attached?

[ ] Yes [X] No

22154 U.S.PTO  
10/688951  
102103

3. Nature of conveyance:

[X] Assignment

Execution Date: October 17, 2003

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

101688951

If this document is being filed together with a new application, the execution date of the application is: October 17, 2003

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [ ] Yes [X] No

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

Name: **Edell, Shapiro & Finnan, LLC**  
Attn: **Stuart B. Shapiro**

Street **1901 Research Boulevard**  
Address: **Suite 400**

City: **Rockville** State: **MD** Zip: **20850-3164**

6. Total Number of applications and patents involved: **One**

7. Total fee (37 CFR 3.41).....\$ **40.00**  
[ ] Enclosed  
[X] Authorized to be charged to deposit account

8. Deposit Account Number: 09-0460

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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.

Stuart B. Shapiro  
Stuart B. Shapiro

10/20/2003  
Date

Total number of pages, including cover sheet, attachments, and document: [2]

10/29/2003 6TON11 00000077 090460 10688951

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ASSIGNMENT

INVENTOR  
AND CITY

Whereas, I

(1) Namik Hrie

of Boeblingen, Germany

have invented certain improvements in

**METHOD AND SYSTEM FOR REDUCING HOST VARIABLE IMPACT ON ACCESS PATH SELECTION**

and executed, respectively, a United States patent application therefor on the following date(s):

(1) 17.10. 2003

DATE THAT  
INVENTOR(S)  
SIGNED THE  
DECLARATION

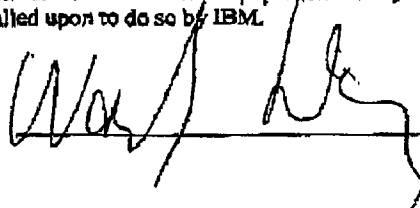
Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor,

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and I request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said application to IBM, its successors and assigns; and I hereby agree that IBM may apply for foreign Letters Patent on said invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed and sealed

CITY  
DATE

(1) at Boeblingen  
on 17.10. 2003



SIGNATURE  
INVENTOR