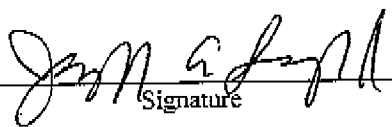


**RECORDATION FORM COVER SHEET
PATENTS ONLY**U.S. DEPARTMENT OF COMMERCE
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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

| | | | |
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| 1. Name of conveying party(ies): (in counterpart) (1) Nicolas G. ADIBA (2) Serge BOURBONNAIS (3) Elizabeth B. HAMEL (4) Somil D. KULKARNI (5) Bruce G. LINDSAY Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. | | 2. Name and address of receiving party(ies): Name: IBM Corporation Street Address: New Orchard Road City: Armonk State: NY Zip: 10504 Additional name(s) and address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. | |
| 3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment Execution dates: (1) July 8, 2004 (2) July 9, 2004 (3) July 8, 2004 (4) July 8, 2004 (5) July 9, 2004 | | | |
| 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) 10/789,326, filed 2/26/2004 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: Sawyer Law Group LLP Address: P.O. Box 51418 Palo Alto, CA 94303 | | 6. Total number of applications and patents involved: <u>One</u> 7. Total fee (37 CFR 3.41)..... <u>\$ 40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>09-0460 (IBM Corporation)</u> (Attach duplicate copy of this page if paying by deposit account) | |
| 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> Joseph A. Sawyer, Jr.  July 16, 2004 _____ Name of Person Signing Signature Date | | | |

Total number of pages including cover sheet, attachments, and documents: 5

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ASSIGNMENT

Whereas, I,

- | | | |
|-----|--------------------|------------------------------------|
| (1) | Nicolas G. ADIBA | City of San Jose State of CA |
| (2) | Serge BOURBONNAIS | City of Palo Alto State of CA |
| (3) | Elizabeth B. HAMEL | City of Morgan Hill State of CA |
| (4) | Somil KULKARNI | City of San Jose State of CA |
| (5) | Bruce G. LINDSAY | City of San Jose State of CA |

have invented certain improvements in

**TITLE FAULT TOLERANT MECHANISM TO HANDLE INITIAL LOAD
OF REPLICATED OBJECT IN LIVE SYSTEM**

and executed a United States Patent Application therefor on the following date(s):

- (1) 7/8, 2004
(2) 7/9, 2004
(3) 7/8, 2004
(4) 07/08/, 2004
(5) _____, 2004

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 therefore;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, 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 we 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 we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

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Whereas, I,

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|-----|--------------------|------------------------------------|
| (1) | Nicolas G. ADIBA | City of San Jose State of CA |
| (2) | Serge BOURBONNAIS | City of Palo Alto State of CA |
| (3) | Elizabeth B. HAMEL | City of Morgan Hill State of CA |
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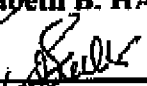
- (1) _____, 2004
- (2) _____, 2004
- (3) _____, 2004
- (4) _____, 2004
- (5) 9 July, 2004

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 therefore;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, 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 we 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 we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and

Docket No: SVL920040008US1/3055P
Page 2 of 2

Signed and sealed:

| | <u>LOCATION</u> | <u>DATE</u> | <u>SIGNATURE</u> |
|-----|-----------------------------|-----------------------------|---|
| (1) | <u>San Jose</u> | <u>7/8/2004</u> | <u></u> Nicolas G. ADIBA |
| (2) | <u>San Jose</u> | <u>7/9/2004</u> | <u>Serge Bourbonnais</u> Serge BOURBONNAIS |
| (3) | <u>San Jose</u> | <u>7/8/2004</u> | <u>Elizabeth B. Hamel</u> Elizabeth B. HAMEL |
| (4) | <u>SAN JOSE</u> | <u>07/08/2004</u> | <u></u> Somu KULKARNI |
| (5) | <u> </u> | <u> </u> | <u> </u> Bruce G. LINDSAY |

Docket No: SVL920040006US1/3045P
Page 2 of 2

Signed and sealed:

| | LOCATION | DATE | SIGNATURE |
|-----|--------------|-------------|--------------------|
| (1) | | | Nicolas G. ADIBA |
| (2) | | | Serge BOURBONNAIS |
| (3) | | | Elizabeth B. HAMEL |
| (4) | | | Somil KULKARNI |
| (5) | San Jose, CA | 9 July 2004 | Bruce G. LINDSAY |