

1/12/04

01-14-2004

Attorney Docket No.: TARA1150  
EET



To the Honorable Commissioner for Pat thereof.

102645829

attached original documents or copy

1. Name of Conveying party(ies):

**New Moon, Inc.**

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

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

Name: **Tarantella, Inc.**  
**425 Encinal Street**  
**Santa Cruz, CA 95061-1900**

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

3. Nature of conveyance:

- Assignment**                       : Merger
- : Security Agreement               : Change of name
- : Other:

Execution Date: **December 8, 2003**

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) **08/863,032**

B. Patent No.(s) **6,167,473**

Additional numbers attached?  Yes :  No

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

Name **Customer No. 25094**  
**Gray Cary Ware & Freidenrich LLP**  
**1221 So. MoPac Expressway**  
**Suite 400**  
**Austin, Texas 78746**

6. Total number of Applications and patents involved: **1**

7. Total fee (37 CFR 3.41).... **\$ 40.00**

8.  **Enclosed**

9.  Authorized to charge the recordation fee or any underpayment to deposit account No. .  
A duplicate copy of this page is attached.

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*

**John J. Bruckner**                      **Jan 6, '04**  
Reg. No. **35,816**                      **Date**

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this document is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on **Jan 6**, 2004.

\_\_\_\_\_  
Laura M. McGuire

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

OPR/FINANCE  
JAN 12 AM 7:52

## CONFIRMATORY ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, New Moon, Inc. (the "Assignor") a Corporation of California, having a place of business at 425 Encinal Street, Santa Cruz, CA 95060 United States, did by an original assignment executed on June 5, 2003 and does hereby again:

SELL, ASSIGN AND TRANSFER to Tarantella, Inc. (the "Assignee") a corporation of California, having a place of business at 425 Encinal Street, Santa Cruz, CA 95061-1900, United States, the entire right, title and interest in and to the Intellectual Property Rights as defined in the original assignment, including but not limited to:

Ser. No.	Filed	Pat. No.	Issued	Title	Inventor(s)
08/843,919	April 17, 1999	6,041,351	March 21, 2000	Network Traffic by Instruction Packet Size Reduction	Kho, Samuel
08/863,032	May 23, 1997	6,167,473	December 26, 2000	System for Detecting Peripheral Input Activity and Dynamically Adjusting Flushing Rate of Corresponding Output Device in Response to Detected Activity	Kho, Samuel
09/104,038	June 24, 1998	6,412,015	June 25, 2002	System and Method for Virtualizing and Controlling Input and Output of Computer Programs	Navare, Prashanth; Menna, Randall G.
10/141,366	May 6, 2002			System and Method for Virtualizing and Controlling Input and Output of Computer Programs	Navare, Prashanth; Menna, Randall G.
09/759,868	January 12, 2001			System and Method For Dynamic Allocation of Computing Tasks	Salas, Casey; Radhakrishnan, Sanjeev
09/877,761	June 8, 2001			System and Method for Dynamic Content Activation	Salas, Jonathan C.; Lau, Edwin J.; Navare, Prashanth; Radhakrishnan, Sanjeev
09/845,457	April 30, 2001			System and Method for Managing User Access of Distributed Resources	Salas, Jonathan C.; Radhakrishnan, Sanjeev
08/672,588	June 28, 1996			Improved Client-Server Technique for Distributed Computing	Edwin J. Lau et al.

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such Intellectual Property Rights 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 Assignor, and that the full right to convey the same as herein expressed is possessed by the Assignor;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this confirmatory assignment, the Assignor will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such Intellectual Property Rights; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the Assignor relating to such Intellectual Property Rights and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such Intellectual Property Rights in the Assignee, and for securing, maintaining and enforcing proper patent protection for such Intellectual Property Rights;

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

Assignor

New Moon, Inc.

Signature: \_\_\_\_\_

Date: DEC. 8, 2003

Edwin J. Lau

Secretary, New Moon, Inc.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

BEFORE ME, the undersigned authority, on this \_\_\_\_ day of \_\_\_\_\_, 200\_\_ personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

\_\_\_\_\_  
Notary or Consular Officer

[SEAL]

Accepted by Assignee

Tarantella, Inc.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Randall Bresee

Senior Vice President, Operations, Tarantella, Inc.

John L. Adair, Reg. No. 48,828; Ariyeh Akmal, Reg. No. 51,388; Mark L. Berrier, Reg. No. 35,066; John J. Bruckner, Reg. No. 35,816; George R. Meyer, Reg. No. 35,284; and Steven R. Sprinkle, Reg. No. 40,825,

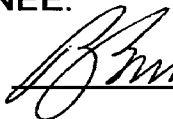
each an attorney or agent of the firm of GRAY CARY WARE & FREIDENRICH L.L.P., to prosecute the above-identified patent or application and to transact all business in the Patent and Trademark Office connected therewith (Assignee's agent is authorized to make corrections to this document).

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Tarantella, Inc., referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all telephone calls to John Bruckner at 512-457-7233. Please send all correspondence to:

**John J. Bruckner**  
**GRAY CARY WARE & FREIDENRICH, L.L.P.**  
**1221 South MoPac Expressway, Suite 400**  
**Austin, Texas 78746-6875**

ASSIGNEE:

Signed:  \_\_\_\_\_

Name: Randall Bresee

Title: Senior Vice President, Operations  
Tarantella, Inc.

Dated: Dec. 8, 2003

**ASSIGNMENT:**

Concurrently filed  
 Previously recorded  
Date: \_\_\_\_\_  
Reel: \_\_\_\_\_  
Frames: \_\_\_\_\_