



01-22-04

\$D

01-30-2004



PATENT

102657698

Attorney Docket No. ETE5342.09A2

1-20-04

Applicant: LOUISE E. MOSER; PETER M. MELLIAR-SMITH  
Serial No.: 10/651,757  
Filed: 0830/2003  
Title: CONSISTENT ASYNCHRONOUS CHECKPOINTING OF MULTITHREADED  
APPLICATION PROGRAMS BASED ON SEMI-ACTIVE OR PASSIVE REPLICATION  
Group:  
Examiner:

MAIL STOP ASSIGNMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

**ASSIGNMENT (DOCUMENT) COVER LETTER**  
**PATENT OR PATENT APPLICATION**

1. **NAMES OF PARTY(IES) MAKING TRANSFER**

Name 1: LOUISE E. MOSER

Name 2: PETER M. MELLIAR-SMITH

2. **IDENTITY OF PARTY(IES) TO WHOM TRANSFER IS MADE**

This transfer is being made to:

Name: ETERNAL SYSTEMS, INC.  
Address: 5290 OVERPASS ROAD, BUILDING D  
SANTA BARBARA, CA 93111

3. **INTENTION OF DOCUMENT**

A brief description of what the accompanying document intends to accomplish is that it is an:

- ☒ Assignment  
☐ License  
☐ Security Interest

01/29/2004 ECDOPER 00000045 10651757

01 FC:8021

40.00 DP

Page 1 of 3

**PATENT**  
**REEL: 014924 FRAME: 0309**

4.

Particulars of the patent or application to which the accompanying document applies are:

**Inventor(s):**

LOUISE E. MOSER; PETER M. MELLIAR-SMITH

For (title): CONSISTENT ASYNCHRONOUS CHECKPOINTING OF MULTITHREADED APPLICATION PROGRAMS BASED ON SEMI-ACTIVE OR PASSIVE REPLICATION

- (a)      U.S. patent application filed herewith.
- (b)   X   U.S. patent application serial no. 10/651,757 filed on 08/30/2003.
- (c)      U.S. patent no.            issued           .

5.

**Please address all correspondence and return the recorded document to:**

**John P. O'Banion**  
**O'BANION & RITCHEY LLP**  
**400 Capitol Mall, Suite 1550**  
**Sacramento, CA 95814**

6.

The number of applications or patents identified herein is: 1

Total Fee Due	\$ 40.00
---------------	----------

## 7.

The accompanying document was executed on 12/18/2003.

8. **FEE PAYMENT**

Fee payment is provided for as follows:

- ☐ New Application transmittal (Item 18 - INCLUDED IN FILING FEE)
- ☐ FWC Transmittal (Item VIII)
- ☐ Transmittal of Filing under 37 CFR 1.60(b) (Item 11)
- ☒ Attached is a check in the sum of \$40.00

☒ Charge Account No. 07-1137 if any additional fee is due.

☐ Charge Account No. \_\_\_\_\_ in the sum of \_\_\_\_\_ A duplicate of this transmittal is attached.

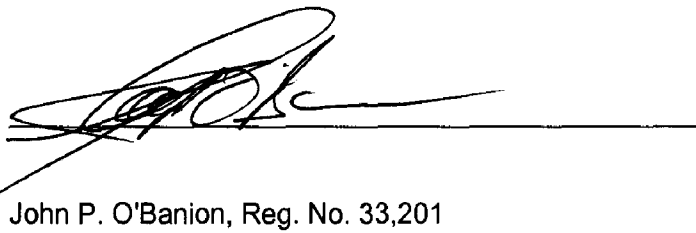
9. **STATEMENT OF AUTHENTICITY**

The undersigned certifies that, to the best of his or her knowledge and belief, the information contained in this cover sheet is true and correct, and any copy of the document submitted for recording is a true copy of the original document.

10. **SIGNATURE**

Dated: \_\_\_\_\_

1/20/2004



John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/651,757 Confirmation No.: 8427  
Applicant : LOUISE E. MOSER ET AL.  
Title : CONSISTENT ASYNCHRONOUS CHECKPOINTING OF MULTITHREADED  
APPLICATION PROGRAMS BASED ON SEMI-ACTIVE OR PASSIVE  
REPLICATION  
Filed : 08/30/2003  
TC/A.U.:  
Examiner :  
Docket No. : ETE5342.09A2  
Cust. No. : 8156

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

**ASSIGNMENT**

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

Name: LOUISE E. MOSER  
Address: P.O. BOX 13963  
SANTA BARBARA, CA 93107

Nationality: UNITED STATES

Name: PETER M. MELLIAR-SMITH  
Address: P.O. BOX 13963  
SANTA BARBARA, CA 93107

Nationality: UNITED KINGDOM

hereby sell(s), assign(s) and transfer(s) to ASSIGNEE:

Name: ETERNAL SYSTEMS, INC.  
Address: 5290 OVERPASS ROAD, BUILDING D  
SANTA BARBARA, CA 93111

and the successors, assigns and legal representatives of the ASSIGNEE, the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

**CONSISTENT ASYNCHRONOUS CHECKPOINTING OF MULTITHREADED APPLICATION  
PROGRAMS BASED ON SEMI-ACTIVE OR PASSIVE REPLICATION**

and which is found in

- (a) ☐ U.S. provisional patent application filed herewith and listing the above named person(s) as inventor(s).
- (b) ☐ U.S. patent application filed herewith listing the above named person(s) as inventor(s).
- (c) ☒ U.S. patent application serial no. 10/651,757, filed on 08/30/2003.
- (d) ☐ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_.

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenant(s) that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenant(s) that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said Invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) request(s) the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE.

Date: December 18, 2003 Inventor:

Louise E. Moser  
LOUISE E. MOSER

Date: December 18, 2003 Inventor:

P. M. Melliar-Smith  
PETER M. MELLIAR-SMITH