Docket No: 115274-068

Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027  RECORDATION FOR PATENTS	
To the Honorable Commissioner of Patents and Trademarks: I	Please record the attached original documents or copy thereof.
1. Name of conveying party(ies):	<ol><li>Name and address of receiving party(ies):</li></ol>
divine technology ventures	Name: Saratoga DMS, LLC
	Internal Address:
Additional name(s) of conveying party(ies) attached?  Yes X No	
3. Nature of conveyance:	Street Address: 222 West Lascolinas Blvd.
X Assignment _ Merger	Suite 350E
_ Security Agreement _ Change of Name	City: <u>Irving</u> State: <u>TX</u> Zip: <u>75039</u>
_ Other	Country: USA
Execution Date(s): May 15, 2003	Additional name(s) & address(cs) attached?  Yes X No
4. Application number(s) or patent number(s):	
If this document is being filed together with a new applica	tion, the execution date of the application is:
A. Patent Application No.(s)  08/168,519 09/711,511 09/005,479  08/548,137 09/054,180 09/548,238  09/645,933 09/052,923 09/548,237  09/897,407 09/580,916 09/548,235 09/391,820	B. Patent No.(s) 5,724,424 6,199,051 4,845,658 6,195,649 6,279,112 6,212,634 6,049,785 6,490,358 5,812,776 6,205,437 5,708,780  mached? Yes X No
5. Name and address of party to whom correspondence	6. Total number of applications and patents involved: 24
concerning document should be mailed:	7. Total fee (37 CFR 3.41)\$ 960.00
Robert M. Barrett, Esq.	_ Enclosed
Bell, Boyd & Lloyd LLC	X Authorized to be charged to deposit account
P.O. Box 1135 Chicago, Illinois 60690-1135	8. Deposit account number:
Cancago, inmos voos 1100	02-1818
	(Attach duplicate copy of this page if paying by deposit account)
DO NOT USE	THIS SPACE
9. Statement and signature.  To the best of my knowledge and belief, the foregoing true copy of the original document.	information is true and correct and any attached copy is a
Robert M. Barrett (Reg. No. 30,142)  Name of Person Signing	August 13, 2004 Signature Date
Total number of pages including cover	er sheet, attachments, and documents: 📢

Mail documents to be recorded with required cover sheet information to. Commissioner for Patents, Mail Stop Assignments, P.O. Box 1450, Alexandria, VA 22313-1450

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## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT ("Assignment") is made and entered into as of this 15th day of May, 2003, ("Effective Date"), by and between divine, inc., a Delaware corporation having a place of business at 1301 North Elston Avenue, Chicago, Illinois 60622 ("Assignor"), and certain of its domestic subsidiaries set forth on the signature pages hereto (each, also an "Assignor" and together with divine, inc., the "Assignors") and Saratoga DMS LLC, a Delaware limited liability company having a place of business at 535 Madison Avenue, 4th Floor, New York, New York 10022 ("Assignee").

WHEREAS, Assignors and Assignee are parties to that certain Asset Purchase Agreement dated as of May 6, 2003 as amended ("Purchase Agreement"), pursuant to which Assignors have agreed to sell and Assignee has agreed to purchase the assets, properties and rights pertaining to the Business as defined in the Purchase Agreement;

WHEREAS, Assignors, collectively, are the sole and exclusive owners of the entire right, title and interest in, to and under patents and patent applications relating to the Business, including, without limitation, those patents and patent applications identified and set forth on Schedule A (the "Patents"); and

WHEREAS, Assignee wishes to acquire and Assignors wish to assign all right, title and interest in and to the Patents.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors do hereby sell, assign, transfer and set over to Assignee, the entire right, title and interest in and to the Patents, for the United States and for all foreign countries, including any continuations, divisions, continuations-in-part, reissues, reexaminations, extensions or foreign equivalents thereof, and including the subject matter of all claims which may be obtained therefrom for its own use and enjoyment, and for the use and enjoyment of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made; together with all income, royalties, damages or payments due or payable as of the Effective Date or thereafter, including, without limitation, all claims for damages by reason of past, present or future infringement or other unauthorized use of the Patents, with the right to sue for, and collect the same for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives.

Assignors authorize and request the Commissioner of Patents and Trademarks to record Assignee as owner of the Patents, including any continuations, divisions, continuations-in-part, reissues, reexaminations or extensions thereof, and to issue any and all letters patent of the United States thereon to Assignee, as assignee of the entire right, title and interest in, to and under the same, for the sole use and enjoyment of Assignee, its successors, assigns or other legal representatives.

Each Assignor hereby represents and warrants that its right, title and interest in and to the Patents are free and clear of any liens and encumbrances, that it has full right to assign all of its interests therein, and that it has not executed and will not execute any agreement or other instrument in conflict herewith,

Assignors shall provide Assignee, its successors, assigns or other legal representatives, cooperation and assistance at Assignee's request and expense (including the execution and delivery of any and all affidavits, declarations, oaths, exhibits, assignments, powers of attorney or other documentation as may be reasonably required): (1) in the preparation and prosecution of any applications covering the inventions assigned herein; (2) in the prosecution or defense of any interference, opposition,

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reexamination, reissue, infringement or other proceedings that may arise in connection with any of the patent rights assigned herein, including, but not limited to, testifying as to any facts relating to the patent rights assigned herein and this Assignment; (3) in obtaining any additional patent protection that Assignee may deem appropriate which may be secured under the laws now or hereafter in effect in the United States or any other country; and (4) in the implementation or perfection of this Assignment.

If Assignee is unable for any reason, after reasonable effort, to secure any Assignor's signature on any document needed in connection with the actions specified herein, each Assignor hereby irrevocably designates and appoints Assignee and its duly authorized officers and agents as the Assignor's agent and attorney in fact, which appointment is coupled with an interest, to act for and on the Assignor's behalf to execute, verify and file any such documents and to do all other lawfully permitted acts to further the purposes of this paragraph with the same legal force and effect as if executed by the Assignor.

\* \* \* \* \*

IN TESTIMONY WHEREOF, the Assignors and Assignce have caused this Assignment to be signed and executed by the undersigned officers thereunto duly authorized this 15th day of May, 2003.

## ASSIGNORS

divine, inc.

Air Divine, Inc.

Data Return Corporation

databites, inc.

Delano Technology Corporation

Denali, Inc.

divine Global Services, Inc.

divine international, inc.

divine interVentures, Inc.

divine Ireland, Inc.

divine Managed Services, Inc.

divine software, inc.

divine Synchrony Communications, Inc.

divine/Emicom, Inc.

eprise Corporation

Eprise Securities Corp.

eShare Communications, Inc.

Folio Corporation

Futuretense Corporation

Global Recall, Inc.

iCentral, Inc.

Inventions, Inc.

LOTN, Inc.

Melita Finance, Inc.

Melita Intellectual Property, Inc.

Open Market Securities Corporation

Open Market, Inc.

Opinionware.com, Inc.

Perceptual Robotics, Inc.

Retrieval Technologies, Inc.

RWT Corporation

SafeMaker (Europe), Inc.

SageMaker, Inc.

SM2 Holding Corp.

smallwonders softwarel, inc.

SM1 Holding Corp.

Softmetric, Inc.

Venture Capital Unlimited Acquisition Sub, Inc.

Viant Corporation

Waypoint Software Corporation

By: In the

Name: Juzie Sullivan

Title: Senior Vice President of divine, inc. and

President of the other Assignors listed above

By: divine, inc., its general partner

By:

Name: Aude Sullivan

Title: Senior Vice President

## ASSIGNEE

Saratoga DMS LLC

By: Name: Title:

STATE OF ILLINOIS COUNTY OF COOK

On this 15th day of May, 2003, there appeared before me [NA] A PHNE personally known to me, who acknowledged that he signed the foregoing Assignment as his voluntary act and deed on behalf and with full authority of divine, inc. and its listed domestic subsidiaries.

"OFFICIAL SEAL ELIDA A. PANEK

STATE OF FLUNOIS COUNTY OF COOK )SS.

On this 15 day of May, 2003, there appeared before me Quad A. PANGE personally known to me, who acknowledged that he signed the foregoing Assignment as his voluntary act and deed on behalf and with full authority of divine technology ventures.

"OFFICIAL ELIDA A. PANEK

NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 5/15/2006

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STATE OF NEW YORK ) SS.

COUNTY OF NEW YORK)

On this 15 day of \_MA4\_, 2003, there appeared before me kinsan a. Peter, personally known to me, who acknowledged that he signed the foregoing Assignment as his voluntary act and deed on behalf and with full authority of Saratoga DMS LLC.

LORRAINE CAMPISI
Notary Public, State of New York
No. 01CA6029618
Qualified in Queens County
Commission Expires 08/23/20

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## SCHEDULE A

Description	Country	Filing Date	Patent No. or Application No.	Grant/Issue	Status	Product Business
Certifying authorizations in computer networks	U.S.	11/15/1996	6,212,634	4/3/2001	Issued	BCM
Certifying authorizations in computer actworks	U.S.	8/16/2000	6,490,358	12/3/2002	Issued	ЕСМ
Controlled transfer of information in computer networks	U.S.	10/29/1996	6,279,112	8/21/2001	Issued	ECM
Controlled transfer of information in computer networks	WIPO	10/29/1997	PCI/US97/19391		Nat phase	BCM
Controlled transfer of information in computer networks	U.S.	7/3/2001	09/897,407		Pending	ECM
Digital active advertising	U.S.	12/16/1993	08/168,519		Abandoned	ECM
Digital active advertising	European Patent	12/13/1994	0734556	9/4/2002	Issued	ECM
Digital active advertising	Belgium	12/13/1994	0734556	9/4/2002	Issued	BCM
Digital active advertising	France	12/13/1994	0734556	9/4/2002	Issued	ECM
Digital active advertising	U.K.	12/13/1994	0734556	9/4/2002	Lssued	BCM
Digital active advertising	Italy	12/13/1994	0734556	9/4/2002	Issued	ECM
Digital active advertising	Netherlands	12/13/1994	0734556	9/4/2002	Issued	ECM
Digital active advertising	Germany	12/13/1994	69431306.8-08	9/4/2002	Penss	ECM

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Digital active advertising	Japan	12/13/1994	3367675	11/8/2002	Issued	ECM
Digital active advertising	Japan	12/13/1994	3190882	5/18/2001	Issued	ECM
Digital active advertising	Japan	12/13/1994	3190881	5/18/2001	Issued	ECM
Digital active advertising	U.S.	11/29/1995	5,724,424	3/3/1998	Issued	ECM
Digital active advertising	U.S.	3/2/1998	6,195,649	2/27/2001	Issued	BCM
Digital active advertising	U.S.	3/2/1998	6,049,785	4/11/2000	Issued	BCM
Digini active advertising	U.S.	3/2/1998	6,199,051	3/6/2001	Issued	ЕСМ
Digital active advertising	U.S.	3/2/1998	6,205,437	3/20/2001	Essued	ECM
Digital active advertising	WIPO	12/13/1994	PCT/US94/14319		Nat phase	ЕСМ
Digital active advertising	European Patent	12/13/1994	02007486.0		Pending	BCM
Digital active advertising	Гарап	12/13/1994	2002-267886		Pending	ECM
Digini active advertising	U.S.	11/14/2000	09/711,511		Pending	ECM
Digital active advertising	Japan	12/13/1994	10-156563		Published	ECM
Distributed dynamic web page caching system	WIPO	5/15/2001	PCT/US01/15621		Nat phase	ECM
Distributed dynamic web page caching system	European Patent	5/15/2001	01935510.6		Pending	ЕСМ
Distributed dynamic web page caching system	Japan	5/15/2001	2001-585086		Pending	ЕСМ
Distributed dynamic web page caching system	U.S.	5/16/2000	09/572,681		Pending	БСМ
Distributed electronic publishing system in which formatting instructions are sorted	U.S.	1/29/1996	08/593,653		Abandoned	ECM

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separately from content information (as amended)						
Distributed electronic publishing system in which formatting instructions are sorted separately from content information (as anended)	WIPO	1/29/1997	PCT/US97/01642		Abandoned	ECM
Distributed electronic publishing system in which formating instructions are sorted separately from content information (as amended).	U.S.	1/29/1997	6,012,071	1/4/2000	Issued	BCM
Distributed electronic publishing system in which formating instructions are sorted separately from content information (as amended)	U.S.	6/19/1997	6,055,522	4/25/2000	Issued	ECM
Electronic commerce system	U.S.	3/31/1998	09/052,923		Abandoned	ECM
Electronic commerce system	WIPO	3/31/1999	PCT/US99/07182		Nat phase	BCM
Electronic commerce system	U.S.	4/1/1998	09/054/180		Pending	BCM
Enabling business transactions in computer networks	U.S.	11/15/1996	6,192,131	2/20/2001	Abandoned	ECM
Hierarchical caching techniques for efficient dynamic page generation	U.S.	3/4/1999	6,397,217	5/28/2002	Issued	BCM
Hierarchical caching techniques for efficient dynamic page generation	U.S.	4/23/2002	10/128,961		Published	BCM
Information method and apparatus Using simplex and duplex communications	U.S.	12/1/1986	4,845,658	7/4/1989	panssi	ECM (this patent actually owned by MIT, but ECM has exclusive license)
Internet server access control and monitoring	Australia	6/3/1996	694367	11/5/1998	Issued	ECM

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systems						
Internet server access control and monitoring systems	U.S.	961/1/9	5,708,780	1/13/1998	İssued	BCM
Internet server access control and monitoring systems	WTPO	9661/2/9	PCT/US96/07838		Nat phase	BCM
Internet server access control and monitoring systems	Сапада	6/3/1996	2,221,506		Pending	ECM
Internet server access control and monitoring systems	Japan	6/3/1996	9-503084		Pending	ВСМ
Internet server access control and monitoring systems	Japan	6/3/1996	2001-208829		Pending	ECM
Internet server access control and monitoring systems	U.S.	1/12/1998	09/005,479		Pending	ECM
Internet server access control and monitoring systems	U.S.	4/12/2000	09/548,235		Pending	ECM
Internet server access control and monitoring systems	U.S.	4/12/2000	09/548,237		Pending	BCM
Internet server access control and monitoring systems	U.S.	4/12/2000	09/548,238		Pending	ECM
Internet server access courrol and monitoring systems	U.S.	5/26/2000	09/580,916		Pending	ВСМ
Internet server access control and monitoring systems	European Patent	6/3/1996	96916695.8		Published	ECM
Managing transfers of information in a communications network	U.S.	10/25/1995	08/548,137		Abandoned	ECM
Managing transfers of information in a	WIPO	10/16/1996	PCI/US96/16441		Nat phase	ВСМ

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communications network						
Managing transfers of information in a communications network	U.S.	8/25/2000	09/645,922		Pending	ECM
Method of providing internet pages by mapping telephone number provided by client to url and returning the same in a redirect command by server	U.S.	9/8/1999	028/168/60		Abandoned	ECM
Method of providing internet pages by mapping telephone rumber provided by client to url and returning the same in a redirect command by server	U.S.	6/7/1995	5,812,776	9/22/1998	Issued	ECM
Enabling Business Transactions in Computer Networks	U.S.	11/15/1996	6,192,131		Abandoned	ECM
Method and Apparatus for Scarching a Database of Records	U.S.	5/1/1997	5,924,090			Non-core (NL)
Method and Apparatus for Searching a Datahase of Records	Australia	4/29/1998	736428			Non-core (NL)
Method and Apparatus for Searching a Database of Records	Canada	4/29/1998	2,288,745		Pending	Non-core (NL)
Method and Apparatus for Searching a Database of Records	European	4/29/1998	98920069.6		Pending	Non-core (NL)
Method and Apparatus for Searching a Database of Records	Japan	4/29/1998	10-547408		Pending	Non-core (NL)
Method and Apparatus for Searching a Database of Records	WIPO	4/29/1998	PCT/US98/08785		Nat Phase	Non-core (NE)
System and method for accessing information in a replicated database	U.S.	10/19/2001	10/042,034		Pending	DMS

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System and method for facilitating device communication, management and control in a network	U.S.	4/30/2002	10/136,142	·	Pending	DMfS
System and method for multi-site clustering in a network	U.S.	10/19/2001	10/039,909		Pending	DMS
System and method of interactive network system design	U.S.	6/8/2001	09/877,626		Published	DMS
System and method of synchronizing replicated data	U.S.	1/3/2003	10/336,076		Pending	DMS
System and method of synchronizing replicated data	U.S.	8/14/2000	6,529,917	3/4/2003	Issued	DMS
System and method of synchronizing replicated data	U.S.	3/4/2003	10/382,028		Pending	DMS

**RECORDED: 08/13/2004** 

**PATENT**