

RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent And Trademark Office

To the Honorable Commissioner For Patents: Please record the attached original documents or copy thereof:

1. Name of conveying party(ies):

Harry Smith, Jon Peterson, Mark Hughes

Anthony Kostichka, Brian Bostwick

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

☐ Yes ☒ No

3. Nature of Conveyance:

☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

Execution Dates: 08/03/04; 08/03/04; 08/03/04;
08/04/04; 08/04/04

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

Name: OSIssoft, Inc.

Internal Address:

Street Address: 777 Davis Street, Suite 250

City: San Leandro

State: CA Zip: 94577

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

☐ Yes ☒ No

4. Application number(s) or patent number(s): 10/791,677

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

A. Patent Application No.(s): 10/791,677, filed March 1, 2004

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

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

Name: Daniel R. Brownstone, Esq.

Internal Address: Fenwick & West LLP

Street Address: Silicon Valley Center
801 California Street

City: Mountain View State: CA Zip Code: 94041

6. Total number of applications and patents involved: [1]

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

☐ Check Enclosed

☐ Fee Transmittal Enclosed

☒ Charge the indicated fees to the below mentioned deposit account.

8. Deposit Account No.: 19-2555

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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.

Daniel R. Brownstone, Reg. No. 46,581

Name of Person Signing



Signature

20 Aug 2004
Date

Total number of pages including cover sheet, attachments, documents: [4]

Mail documents to be recorded with required cover sheet information to: Mail Stop Assignment Recordation Services, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Case Docket No.: 16239-07751

PATENT 16239/07751/SF/S127102.

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CH \$40.00 192555 10791677

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to OSIssoft, Inc. a California corporation, having a place of business at 777 Davis Street, Suite 250 San Leandro, CA 94577, ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the following:

1. The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the provisional application filed under 35 U.S.C. §111(b) or non-provisional application filed under 35 U.S.C. §111(a) and entitled DELIVERY OF CONTINUOUS REAL-TIME PERFORMANCE DATA OVER THE INTERNET ("APPLICATION"), which:

☐ is to be filed herewith.

☒ was filed on March 1, 2004, and now bears U.S. application serial number 10/791,677.

☒ The APPLICATION claims priority from a provisional filed on February 28, 2003, now bearing US application serial number 60/451,367.

2. The entire worldwide right, title, and interest in and to:

(a) the APPLICATION; (b) all applications claiming priority from the APPLICATION; (c) all provisional, utility, divisional, continuation, substitute, renewal, reissue, and other applications related thereto which have been or may be filed in the United States or elsewhere in the world; (d) all patents (including reissues and re-examinations) which may be granted on the applications set forth in (a), (b), and (c) above; and (e) all right of priority in the APPLICATION and in any underlying provisional or foreign application, together with all rights to recover damages for infringement of provisional rights.

INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has not made and will not hereafter make any assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

INVENTOR grants the attorney of record the power to insert on this Assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Title of Document: ASSIGNMENT

PATENT

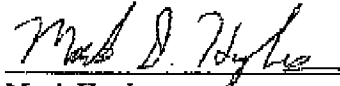
Re:

Title: Delivery of continuous real-time performance
over the internet

Filed: March 1, 2004

Application No.: 10/791,677

This Assignment may be executed in one or more counterparts, each of which shall be
deemed an original and all of which may be taken together as one and the same Assignment.

Name and SignatureDate of
Signature
Harry SmithAugust 3, 2004Name and SignatureDate of
Signature
Jon Peterson8/3, 2004Name and SignatureSignature
Mark HughesAugust 3, 2004Name and SignatureDate of
SignatureAnthony Kostichka, 2004Name and SignatureSignatureBrian Bostwick, 2004

PATENT

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