

Atty. Docket No. ALA-PT001

Form **PTO-1595** (Rev. 10/03) **RECORDATION FORM COVER SHEET PATENTS ONLY** U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office  
 OMB No. 0651-0027 (exp. 6/30/2005)  
 Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**STAGER, ROGER KEITH**  
**TRIMMER DON ALVIN**  
**BLASER, RICO**

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

2. Name and address of receiving party(ies)  
 Name: Alacritus, Inc.  
 Internal Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Street Address: 3825 Hopyard Road  
Suite 275  
 City: Pleasanton State: CA Zip: 94588

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

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: August 6, 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)  
10/211,920

B. Patent No.(s)  
 \_\_\_\_\_

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: John C Donch Jr.  
 Internal Address: VOLPE AND KOENIG, P.C.  
UNITED PLAZA, SUITE 1600  
 \_\_\_\_\_  
 Street Address: 30 SOUTH 17TH STREET  
 \_\_\_\_\_  
 City: PHILADELPHIA State: PA Zip: 19103

6. Total number of applications and patents involved:  1

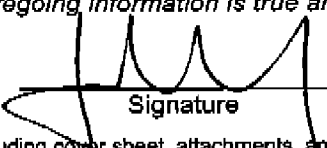
7. Total fee (37 CFR 3.41).....\$ 40.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
22-0493  
Volpe and Koenig, P.C.

(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 information is true and correct and any attached copy is a true copy of the original document.*

John C Donch Jr.  August 26, 2004  
 Name of Person Signing Signature Date

Reg. No. 43,593 Total number of pages including cover sheet, attachments, and documents:  5 Sheet 1 of 1

Mall documents to be recorded with required cover sheet information to:

Mall Stop Assignment Recordation Services  
 Director of the US Patent and Trademark Office  
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**ASSIGNMENT**

Roger Keith Stager, residing at 683 Newberry Street, Livermore, California 94550, a citizen of the United States of America; Don Alvin Trimmer, residing at 2687 Quail Ct., Livermore, California 94550, a citizen of the United States of America; and Rico Blaser, residing at 1309-F Gateview Avenue, San Francisco, California 94130, a citizen of the Switzerland, (hereafter jointly and severally referred to as the undersigned), are the inventors of

**PROTECTABLE DATA STORAGE SYSTEM AND A METHOD OF PROTECTING AND/OR MANAGING A DATA STORAGE SYSTEM**

for which the undersigned have executed an application for United States Letters Patent, U.S. Patent Application No. 10/211,920, filed August 2, 2002.

The undersigned hereby authorize assignee or assignee's representative to insert the Application Number and the filing date of this application if they are unknown at the time of execution of this assignment.

Alacritus, Inc., a Delaware corporation, having a principal place of business at 1650 Holmes Street, Livermore, California 94550, (hereafter referred to as the assignee), is desirous of acquiring the entire right, title and interest in said invention, all applications for and all letters patent issued on said invention.

For good and valuable consideration, the receipt and sufficiency of which is acknowledged, the undersigned, intending to be legally bound, do hereby sell, assign and transfer to the assignee and assignee's successors, assigns and legal representatives the entire right, title and interest in said invention and all patent applications thereon, including, but not limited to, the application for United States Letters Patent entitled as above, and all divisions and continuations thereof, and in all letters patent, including all reissues and reexaminations thereof, throughout the world, including the right to claim priority under the Paris Convention or other treaty.

It is agreed that the undersigned shall be legally bound, upon request of the assignee, to supply all information and evidence relating to the making and practice of said invention, to testify in any legal proceeding relating thereto, to execute all instruments proper to patent the invention throughout the world for the benefit of

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the assignee, and to execute all instruments proper to carry out the intent of this instrument.

The undersigned warrant that the rights and property herein conveyed are free and clear of any encumbrance.

EXECUTED under seal on this 6TH day of AUGUST, 2004  
at PLEASANTON, CA.  
(Place)

Witness:

\_\_\_\_\_

Roger Keith Stager (L.S.)  
Roger Keith Stager

State of CALIFORNIA

ss.

County of ALAMEDA

On this 6TH day of AUGUST, 2004 before me personally appeared Roger Keith Stager, to me known to be the person described herein and who executed the foregoing instrument, and acknowledged that he executed the same knowingly and willingly and for the purposes therein contained.

Witness my hand and Notarial seal the day and year immediately above written.

Kelvin Pham  
Notary Public

My Commission Expires: AUG. 16, 2006



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EXECUTED under seal on this 9<sup>th</sup> day of AUGUST, 2004

at LIVERMORE, CA

(Place)

Witness:

\_\_\_\_\_

Don Alvin Trimmer (L.S.)  
Don Alvin Trimmer

State of CALIFORNIA

ss.

County of ALAMEDA

On this 9<sup>th</sup> day of AUGUST, 2004 before me personally appeared Don Alvin Trimmer, to me known to be the person described herein and who executed the foregoing instrument, and acknowledged that he executed the same knowingly and willingly and for the purposes therein contained.

Witness my hand and Notarial seal the day and year immediately above written.

[Signature]  
Notary Public

My Commission Expires: OCT 30, 2007



Atty. Docket No. ALA-PT001

EXECUTED under seal on this 6TH day of AUGUST, 2004  
at PLEASANTON, CA  
(Place)

Witness:

\_\_\_\_\_  
Rico Blaser (L.S.)

State of CALIFORNIA

ss.

County of ALAMEDA

On this 6TH day of AUGUST, 2004 before me personally appeared Rico Blaser, to me known to be the person described herein and who executed the foregoing instrument, and acknowledged that he executed the same knowingly and willingly and for the purposes therein contained.

Witness my hand and Notarial seal the day and year immediately above written.

Kelvin Pham  
Notary Public

My Commission Expires: AUG - 16, 2006

