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**RECORDATION FORM COVER SHEET PATENTS ONLY**

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

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

1. Name of conveying party(ies):  
Stuart Lynch Blackburn

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

2. Name and address of receiving party(ies)  
Name: SBC Knowledge Ventures, L.P.  
Internal Address: \_\_\_\_\_  
Street Address: 645 E. Plumb Lane  
City: Reno State: NV Zip: 89502

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

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

Execution Date: 7/13/2004

4. Application number(s) or patent number(s): This document is being filed concurrently with a patent application entitled:  
"DIGITAL SUBSCRIBER LINE USER CAPACITY ESTIMATION"

A. Patent Application No.(s) 10/842,842  
Dkt. No.: 1033-IT1033

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

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Jeffrey G. Toler  
Internal Address: TOLER, LARSON & ABEL, L.L.P.  
Street Address: 5000 Plaza on the Lake  
Suite 265  
City: Austin State: TX Zip: 78746

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:  
50-2469

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9. Signature.  
 John R. Schell, Reg. No. 50,766 \_\_\_\_\_  
 Name of Person Signing Signature Date 7-20-04

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

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

### **ASSIGNMENT**

WHEREAS, Stuart Lynch Blackburn, a citizen of the United States of America, residing at 588 Fallen Leaf Circle, San Ramon, California 94583; hereinafter called the "Assignor", have made the invention described in the United States patent application entitled "Digital Subscriber Line User Capacity Estimation", Attorney Docket No. 1033-IT1033 (SBC IT1033), for a full description of which reference is here made to an application for Letters Patent of the United States filed on May 11, 2004, and assigned Application Serial No. 10/842,842; and

WHEREAS, SBC KNOWLEDGE VENTURES, L.P., a partnership organized and existing under the laws of the State of Nevada, having a place of business at 645 E. Plumb Lane, Reno, Nevada 89502, hereinafter called the "Assignee", desires to acquire the entire right, title and interest for the United States of America and elsewhere throughout the world in and to said invention and the patent application identified above, including any and all divisions and continuations thereof and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof.

NOW, THEREFORE in consideration of the sum of One Dollar (\$1.00) and other valuable and legally sufficient consideration, the receipt of which by the Assignor from the Assignee is hereby acknowledged, the Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer to the Assignee, the entire right, title and interest for the United States in and to the invention and the patent application identified above, and any patents that may issue for said invention in the United States; together with the entire right, title and interest in and to said invention and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term and terms for all such patents.

AND said Assignor hereby covenants and agrees, for both the Assignor and the Assignor's legal representatives, that the Assignor will assist the Assignee in the prosecution of the patent application identified above; in the making and prosecution of any other patent applications that the Assignee may elect to make covering the invention identified above; in vesting in the Assignee like exclusive title in and to all such other patent applications and patents; and in the prosecution of any interference which may arise involving said invention, or any such patent application or patent; and that the Assignor will execute and deliver to the Assignee to carry out the terms of this Assignment. Assignor authorizes attorney or agent to fill in the U.S. Application Serial No. above, if required.

AND said Assignor authorizes and requests the Commissioner of Patents to issue Letters Patent on said application, and on any all divisions and continuations thereof, to said Assignee, its assigns and legal representatives, in accordance with the terms of this Assignment.

Attorney Docket Number 1033-IT1033

IN TESTIMONY WHEREOF, this Assignment is executed by said Assignor, on the date(s) listed below.

Name of Inventor: Stuart Lynch Blackburn

Signature of Inventor: *Stuart Lynch Blackburn*

Date: 7/13/04

Witnesses for Inventor

First Witness: *[Signature]* / 07/13/04  
Signature / Date

WU, XIDONG  
Full Name (printed)

Second Witness: *[Signature]* 7/13/2004  
Signature / Date

Jim Otsuka  
Full Name (printed)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
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\*700113234\*

SEPTEMBER 13, 2004

PTAS

TOLER, LARSON & ABEL, L.L.P.  
JEFFREY G. TOLER  
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AUSTIN, TX 78746

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

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1. INSUFFICIENT FUNDS IN DEPOSIT ACCOUNT 50-2469.
2. A FEE WAS NOT SUBMITTED WITH THIS DOCUMENT. AUTHORIZATION TO CHARGE WAS NOT GRANTED. THE REQUIRED FEE IS \$40 .

JEFFREY OLSEN, EXAMINER  
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