

06-29-2004

Form PTO-1595 (Modified)



U.S. DEPARTMENT OF COMMERCE

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102778394

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

1. Name of conveying party(ies):

WEISSMAN, Boris

BUDKO, Dmitriy

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

2. Name and address of receiving party(ies)

Name: VMware, Inc.

Internal Address: _____

Street Address: 3145 Porter DriveCity: Palo Alto State: CA Zip: 94304Additional name(s) and address(es) attached? Yes ☐ No ☒

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: 18 June 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: 18 June 2004

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes ☐ No ☒

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

Name: VMware, Inc.ATTN: Jeffrey Pearce

Internal Address: _____

Street Address: 3145 Porter DriveCity: Palo Alto State: CA Zip: 943046. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$40.00☐ Enclosed☒ Authorized to charge deposit account

8. Deposit account number:

50-2652

(attach duplicate copy of this page if paying by deposit account)

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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.*Jeffrey Pearce (Reg. No. 34,729)

Name of Person Signing

Jeffrey Pearce
Signature18 June 2004

Date

Total number of pages including cover sheet, attachments, and documents: 3

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ASSIGNMENT

We,

Boris WEISSMAN, residing at 1971 W. Middlefield Rd., Mountain View, California 94043, USA, a citizen of the USA; and

Dmitriy BUDKO, residing at 1027 Reed Ave., Sunnyvale, California 94086, USA, a citizen of the USA,

are the inventors of the invention disclosed in the patent application ("Application") enclosed herewith, entitled:

Selective Descheduling of Idling Guests Running on a Host Computer System

which was executed on (dates): 06-18-04 6/18/2004
Boris WEISSMAN Dmitriy BUDKO

VMware, Inc. ("VMware") a corporation organized and existing under the laws of the State of Delaware, USA, having a principal place of business at 3145 Porter Drive, Palo Alto, California 94304, USA

desires to acquire the entire right, title and interest in and to the Invention, the Application, and to any patents or inventor's certificates to be obtained in any countries based on the Invention, and any improvements thereon.

THEREFORE, for good and valuable consideration, receipt of which we hereby acknowledge, each of us, individually:

1. Assigns and transfers to VMware, its successors, assigns and legal representatives, the entire right, title and interest in and to the Invention and the Application, and all divisional, continuing, substitute, renewal, reissue, and other applications for patents, or inventor's certificates, which have been or may be filed in any country based on the Invention;

2. Agrees that the foregoing rights conveyed to VMware includes all priority rights arising from the filing of the Application, the right to own in its own name the Application and all patents and inventor's certificates in all countries, and other applications for patents or inventor's certificates, based on the Invention, and further the sole right to file applications for foreign patents and inventor's based on the Invention;

3. Agrees to execute all documents requested by VMware and its successors, assigns and legal representatives regarding the filing and prosecution of all applications for patents and inventor's certificates, enforcement of all patents, and maintenance of all rights in the Invention, patents, inventor's certificates and applications for patents or inventor's certificates based on the Invention;

4. Upon the request of VMware and its successors, assigns and legal representatives, and at their expense, regarding the filing and prosecution of all applications for patents and inventor's certificates, enforcement of all patents, and maintenance of all rights in the Invention, patents, inventor's certificates and applications for patents or inventor's certificates based on the Invention, agrees to provide to VMware and its successors, assigns and legal representatives all information known to or ascertainable by us and all documents and other materials and objects pertaining to VMware's rights in the Invention that are in the possession of or accessible to us; and further, at any trial, hearing, deposition or other legal proceeding where we are called as witnesses by VMware or its successors, assigns and legal representatives, agrees to testify to all facts pertaining to VMware's rights in the Invention for which we are competent to testify;

5. Warrants and represents that the Invention is our property, and have conveyed no assignment, grant, lien, mortgage, license or other encumbrance affecting the Invention to any other person; that, to our knowledge, no such conveyance exists otherwise; and that we have the full power to convey the rights assigned in this Assignment.

Date: 06-18-04

Boris Weissman
Boris WEISSMAN

Date: 6/18/2004

Dmitriy Budko
Dmitriy BUDKO