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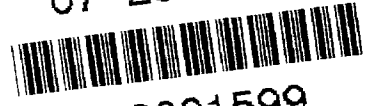
07-29-2004

Atty. Docket No.: 34826-1009

Form PTO-1595 (Rev. 10/02)

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

OMB No. 0651-0027 (exp. 6/30/2005)



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To the Honorable Commissioner

102801599

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Ronald Steven Niles

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

3. Nature of conveyance: [X] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [ ] Other

Street Address: 2 Huntington Quadrangle City: Melville State: NY Zip: 11747

4. Application number(s) or patent number(s): A. Patent Application No.(s) 10/052,208

6. Total number of applications and patents involved: 1

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Mark J. Schildkraut, Esq. Internal Address: Kaye Scholer LLP Street Address: 425 Park Avenue City: New York State: NY Zip: 10022-3598

7. Total fee (37 CFR 3.41).....\$ 40.00 [ ] Enclosed [X] Authorized to be charged to deposit account 8. Deposit account number: 50-0988

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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. Mark J. Schildkraut, Reg. No. 43,092 Name of Person Signing

Signature: [Handwritten Signature] Date: July 26, 2004

Total number of pages including cover sheet, attachments, and documents: 2

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

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10052208 0000013 50988 07/28/2004 ECOMM 01 FC:6021

PATENT REEL: 015608 FRAME: 0137

**ASSIGNMENT OF APPLICATION**

Docket Number (Optional)

34826-1009

Whereas, I/We, Ronald Steven Niles of Teaneck, New Jersey, hereafter referred to as applicant, have invented certain new and useful improvements in DYNAMIC ALLOCATION OF COMPUTER MEMORY

X for which an application for a United States Patent was filed on January 17, 2002 Application Number 10/052,208, and

Whereas, FALCONSTOR SOFTWARE, INCORPORATED of MELVILLE, NEW YORK herein referred to "assignee" whose mailing address is 125 Baylis Road, Suite 140, Melville New York 11747 is desirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of ONE Dollars (\$ 1.00 ), the receipt whereof is acknowledged, and other good and valuable consideration, I/We, the applicant(s), by these presents do sell, assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and throughout the entire world and the entire right, title and interest in and to any and all Patents which may be granted therefor, I/We hereby authorize and request the Commissioner of Patent and Trademarks to issue said United States Patent to said assignee, of the entire right, title and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 15<sup>th</sup> day of April, 2002 at Falconster, Melville NY

Ronald Steven Niles  
(Signature)  
Ronald Steven Niles

State of \_\_\_\_\_ )

SS:

County of \_\_\_\_\_ )

Before me personally appeared said \_\_\_\_\_

and acknowledged the foregoing instrument to be his free act and deed this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_.

Seal

(Notary Public)

Note: Signatures of all the inventors of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below\*.

\* Total of \_\_\_\_\_ forms are submitted.

This form offers a sample or suggested format for an assignment document. This sample form is not an OMB officially approved form.