

08-12-2004

U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office



102812537

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

1. Name of conveying party(ies):

Carl A. Waldspurger
Michael Nelson
Daniel J. Scales
Pratap Subrahmanyam

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

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Dates 7/26/04, 8/1/04, 7/26/04, 7/26/04

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)

10/750,919

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.Internal Address: Darryl A. SmithStreet 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:

502652

(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.

Darryl A. Smith (Reg No. 37,723)

Name of Person Signing

Signature5 August 2004

Date

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

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PATENT
REEL: 015664 FRAME: 0806

ASSIGNMENT

We,
Carl A. WALDSPURGER, residing at 517 Georgia Ave., Palo Alto, CA 94306, USA, a citizen of United States;
Michael NELSON, residing at 888 Forest Lane, Alamo, CA 94507, USA, a citizen of United States;
Daniel J. SCALES, residing at 1361 Ormonde Way, Mountain View, CA 94043, USA, a citizen of United States; and
Pratap SUBRAHMANYAM, residing at 819 Piper Ave., Sunnyvale, CA 94087, USA, a citizen of India;

are the inventors of the invention disclosed in patent application serial number 10/750,919 ("Application") filed on 31 December 2003 and entitled:

Generating and Using Checkpoints in a Virtual Computer System

which was executed on (dates):

<u>26 July 2004</u>	<u>1 August 2004</u>	<u>26 July 2004</u>	<u>26 July 2004</u>
Carl A. WALDSPURGER	Michael NELSON	Daniel J. SCALES	Pratap SUBRAHMANYAM

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, CA 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

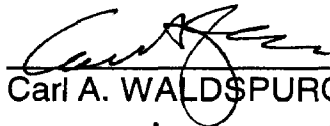
applications for patents or inventor's certificates, based on the Invention, and further the sole right to file applications for foreign patents and inventor's based on the Invention;

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;

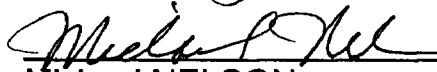
4. Upon the request of VMware and its successors, assigns and legal representatives, and at their expense, regarding the filing and prosecution of all applications for patents and inventor's certificates, enforcement of all patents, and maintenance of all rights in the Invention, patents, inventor's 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.

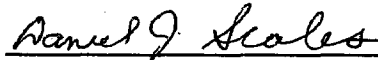
Date: 26-JUL-04


Carl A. WALDSPURGER

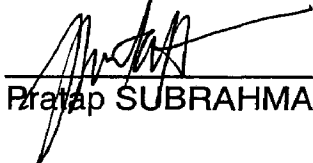
Date: 01 August 2004


Michael NELSON

Date: 26 July 2004


Daniel J. SCALES

Date: 26 July 2004


Pratap SUBRAHMANYAM