

09-20-2004

A:



SHEET

102839493

To: Honorable Commissioner of Patents and Trademarks.

22141 U.S. PTO  
10/939195  
090904

Please record the attached original document or copy thereof.

1. Names of conveying parties:
  - a) Terrence Barr
  - b) David Proulx
2. Name and address of receiving party:
  - a) Name: Sun Microsystems, Inc.
  - b) Address: 4150 Network Circle Santa Clara, CA 95054
3. Nature of conveyance

|                                     |                    |                          |                   |
|-------------------------------------|--------------------|--------------------------|-------------------|
| <input checked="" type="checkbox"/> | Assignment         | <input type="checkbox"/> | Merger            |
| <input type="checkbox"/>            | Security Agreement | <input type="checkbox"/> | Change of Name    |
| <input type="checkbox"/>            | Other _____        | <input type="checkbox"/> | License Agreement |

Execution Dates: a) 9/9/04; b) 9/9/04

4. Application Number: Not yet assigned

The title of the new application is: METHOD FOR COLLECTING AND REDUCING PERFORMANCE-RELATED DATA IN CONSTRAINED ENVIRONMENTS

5. Please send all correspondence concerning this document to:

Edmund H. Mizumoto, Esq.  
MARTINE & PENILLA, LLP  
710 Lakeway Drive, Suite 170  
Sunnyvale, CA 94085  
Customer No. 32291  
Tel. No. (408) 749-6900 Ext. 6927  
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9-9-04

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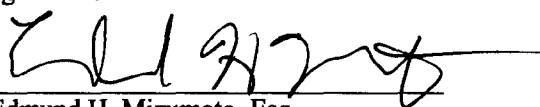
6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

- ☒ Enclosed  
☒ Any deficiency is authorized to be charged to Deposit Account No. 50-0805 (Order No. SUNMP526)

8. 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.

Date: September 9, 2004

  
Edmund H. Mizumoto, Esq.  
Registration No. 46,938

Attorney Docket No. SUNMP526

(Revised 01/96)

09/15/2004 MBIZUNES 00000062 500805 10939195

01 FD:8021

40.00 DP

PATENT  
REEL: 015784 FRAME: 0957

# ASSIGNMENT OF PATENT APPLICATION

(Accompanying Application)

Whereas we the undersigned inventors have invented certain new and useful improvements as set forth in the patent application entitled:

## METHOD FOR COLLECTING AND REDUCING PERFORMANCE-RELATED DATA IN CONSTRAINED ENVIRONMENTS

(Atty. Docket No. SUNMP526) for which we have executed an application for a United States Letters Patent.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we the undersigned inventors hereby:

- 1) Sell, assign and transfer to Sun Microsystems, Inc., a Delaware corporation having a place of business at 4150 Network Circle, Santa Clara, CA 95054, U.S. (hereinafter referred to as "ASSIGNEE"), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (including foreign patents) granted upon the information which is disclosed in the above referenced application.
- 2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any division(s), continuation(s), substitutes(s) or reissue(s) thereof to the ASSIGNEE.
- 3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative and applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.
- 4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventor(s), as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the dates indicated beside our signatures.

- 1) Signature: Terrence Barr Date: 9/9/2004  
Typed Name: Terrence Barr
- 2) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typed Name: David Proulx

Attorney Docket No. SUNMP526

## ASSIGNMENT OF PATENT APPLICATION

(Accompanying Application)

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- 5) Warrant and represent that we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the dates indicated beside our signatures.

1) Signature: \_\_\_\_\_  
Typed Name: Terrence Barr

Date: \_\_\_\_\_

2) Signature:   
Typed Name: David Proulx

Date: 9 September 2004

Attorney Docket No. SUNMP526

RECORDED: 09/09/2004

PATENT  
REEL: 015784 FRAME: 0959