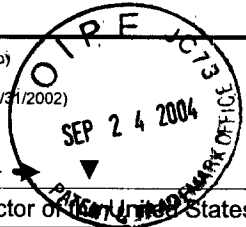


10-01-2004

FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
P08/REV03



102848919

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Patent and Trademark Office

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1. Name of conveying party(ies):

Ilya Gluhovsky  
Alan J. Hoffman  
Herbert M. Lee  
Emmanuel Yashchin

*C*  
*9-24-04*

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

Name: International Business Machines Corporation

Internal Address: \_\_\_\_\_

Additional names(s) of conveying party(ies)  Yes  No

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other \_\_\_\_\_

Street Address: New Orchard Road

City: Armonk State: NY ZIP: 10504

Execution Date: 12/17/03, 12/01/03, 12/4/03, 10/30/03

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

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

10/697,273 filed 10/31/03

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Clyde R Christofferson

Internal Address: 09/30/2004 BYRNE 00000040-10697273

01 FC:0021

40.00 DP

Street Address: Whitham, Curtis & Christofferson, P.C.

11491 Sunset Hills Road, Suite 340

City: Reston State: VA ZIP: 20190

6. Total number of applications and patents involved: 1

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

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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.

Clyde R Christofferson - 33,138

September 24, 2004

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 1

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PATENT

REEL: 015833 FRAME: 0767

# ASSIGNMENT

Whereas, we

Inventor (1) and city	Ilya Gluhovsky County of Santa Clara	City of Mountain View and State of California
Inventor (2) and city	Alan J. Hoffman County of Fairfield	City of Greenwich and State of Connecticut
Inventor (3) and city	Herbert M. Lee County of Fairfield	City of New Fairfield and State of Connecticut
Inventor (4) and city	Emmanuel Yashchin County of Westchester	City of Yorktown Heights and State New York

have invented certain improvements in

**TITLE** SYSTEM AND METHOD OF PREDICTING FUTURE BEHAVIOR OF A BATTERY OF END-TO-END PROBES TO ANTICIPATE AND PREVENT COMPUTER NETWORK PERFORMANCE DEGRADATION

and have executed, respectively, a United States patent application therefor on

DATES THAT INVENTORS SIGNED THE DECLARATION	(1)	2003, and (2)	2003,
	(3)	2003, and (4)	2003.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

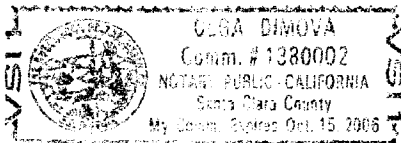
Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we the above named hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

(1) Signed and sealed  
 CITY at MOUNTAIN VIEW, CA  
 DATE on 12/17/2003 Ilya Gluhovsky SIGNATURE  
 Ilya Gluhovsky INVENTOR  
 FIRST NAME MIDDLE INITIAL LAST NAME

On this 17<sup>th</sup> day of December 2003, before me personally came ILYA GLUHOVSKY to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of CALIFORNIA  
County of SANTA CLARA

Notary [Signature]



(2) Signed and Sealed

CITY Greenwich

at

DATE

on Dec 1st 2003,

<u>Alan</u>	<u>J.</u>	<u>Hoffman</u>	SIGNATURE
Alan	J.	Hoffman	INVENTOR
FIRST NAME	MIDDLE INITIAL	LAST NAME	

INVENTOR

On this FIRST day of December 2003, before me personally came ALAN HOFFMAN to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of Connecticut  
County of Fairfield

Thomas P. Lazouras  
**THOMAS P. LAZOURAS**  
 Notary Public - Connecticut  
 My Commission Expires August 31, 2007

(3) Signed and sealed

CITY

at

DATE

on \_\_\_\_\_ 2003,

<u>Herbert</u>	<u>M.</u>	<u>Lee</u>	SIGNATURE
Herbert	M.	Lee	INVENTOR
FIRST NAME	MIDDLE INITIAL	LAST NAME	

On this \_\_\_\_\_ day of \_\_\_\_\_ 2003, before me personally came \_\_\_\_\_ to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of \_\_\_\_\_  
County of \_\_\_\_\_

\_\_\_\_\_  
Notary

(4) Signed and Sealed

CITY

at

DATE

on \_\_\_\_\_ 2003,

<u>Emmanuel</u>		<u>Yashchin</u>	SIGNATURE
Emmanuel		Yashchin	INVENTOR
FIRST NAME	MIDDLE INITIAL	LAST NAME	

INVENTOR

On this \_\_\_\_\_ day of \_\_\_\_\_ 2003, before me personally came \_\_\_\_\_ to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of \_\_\_\_\_  
County of \_\_\_\_\_

\_\_\_\_\_  
Notary

(2) Signed and Sealed

CITY at  
DATE on 2003, Alan J. Hoffman SIGNATURE INVENTOR  
FIRST NAME MIDDLE INITIAL LAST NAME

INVENTOR On this day of 2003, before me personally came to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of  
County of  
Notary

(3) Signed and sealed

CITY at  
DATE on 12/4 2003, Herbert M. Lee SIGNATURE INVENTOR  
FIRST NAME MIDDLE INITIAL LAST NAME

INVENTOR On this 4th day of December 2003, before me personally came Herbert Lee to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of New York  
County of Westchester  
Robin Louise Moro  
Notary

Robin Louise Moro  
Notary Public, State of NY  
No. 01D16045019  
County of Westchester  
Commission Expires 12/31/2007

(4) Signed and Sealed

CITY at  
DATE on 2003, Emmanuel Yashchin SIGNATURE INVENTOR  
FIRST NAME MIDDLE INITIAL LAST NAME

INVENTOR On this day of 2003, before me personally came to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of  
County of  
Notary

(2) Signed and Sealed

CITY

at

DATE

on

2003,

Alan  
FIRST NAME

J.  
MIDDLE INITIAL

Hoffman  
LAST NAME

SIGNATURE  
INVENTOR

INVENTOR

On this \_\_\_\_\_ day of \_\_\_\_\_ 2003, before me personally came \_\_\_\_\_ to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

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

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

\_\_\_\_\_  
Notary

(3) Signed and sealed

CITY

at

DATE

on

2003,

Herbert  
FIRST NAME

M.  
MIDDLE INITIAL

Lee  
LAST NAME

SIGNATURE  
INVENTOR

On this \_\_\_\_\_ day of \_\_\_\_\_ 2003, before me personally came \_\_\_\_\_ to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

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

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

\_\_\_\_\_  
Notary

(4) Signed and Sealed

CITY

at

DATE

on

*Yonkers Herk Co, NY*  
*Oct-30, 2003.*

Emmanuel  
FIRST NAME

*E. Yash*  
MIDDLE INITIAL

Yashchin  
LAST NAME

SIGNATURE  
INVENTOR

INVENTOR

On this *30* day of *October* 2003, before me personally came *Emmanuel Yashchin* to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

State of *New York*

County of *Westchester*

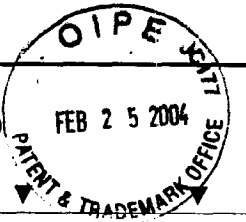
*Mary Beth Miller*  
\_\_\_\_\_  
Notary  
MARY BETH MILLER  
Notary Public, State of New York  
No. 4521347  
Qualified in Putnam County  
Term Expires *2-23-07*

2125104

Docket No.: YOR92000602

FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
P08A/REV03

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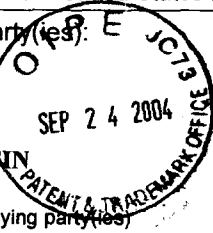


102681200

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To the Honorable Director of the United States Patent and Trademark Office, the attached original documents or copy thereof.

1. Name of conveying party(ies):  
ILYA GLUHOVSKY  
ALAN J. HOFFMAN  
HERBERT M. LEE  
EMMANUEL YASHOIN  
Additional names(s) of conveying party(ies)  Yes  No



2. Name and address of receiving party(ies):  
Name: **IBM CORPORATION**  
Address: \_\_\_\_\_  
City: **ARMONK** State/Prov.: **NY**  
Country: \_\_\_\_\_ ZIP: **10504**  
Additional name(s) & address(es)  Yes  No

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
Execution Date: 12/17/03, 12/04/03, 12/01/03, 10/30/03

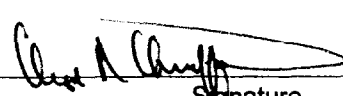
4. Application number(s) or patent numbers(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_  
Patent Application No. Filing date  
10/697,273 October 31, 2003  
Additional numbers  Yes  No

6. Total number of applications and patents involved: **1**  
7. Total fee (37 CFR 3.41):.....\$ **40.00**  
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 Authorized to be charged to deposit account

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: **CLYDE R CHRISTOFFERSON**  
Registration No. **REG. NO. 34,138**  
Address: **WHITHAM, CURTIS & CHRISTOFFERSON, PC**  
**11491 SUNSET HILLS ROAD, SUITE 340**  
02/27/2004 DBYRNE 00000148 500510 10697273  
01 FC:8021 40.00 DA  
City: **RESTON** State/Prov. **VA**  
Country: **USA** ZIP: **20190**

8. Deposit account number:  
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*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.*  
**CLYDE R CHRISTOFFERSON**  **FEBRUARY 25, 2004**  
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and

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RECORDED: 09/24/2004

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REEL: 015833 FRAME: 0772