

9-20-04

10-12-2004

Atty. Docket No. 4366-194
Avaya Ref. No. 404047-A-01-US (Flockhart)

(Rev. 06/04)



SHEET

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

102856245

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new (address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Andrew D. Flockhart
Kenneth R. Hackbarth
Thomas L. Hemm
Sarah Hildebrandt Kiefhaber
Joylee E. Kohler
Gary Edward Olmsted
Jill B. ZiobroExecution Date(s) 9/8/04, 9/8/04, 9/9/04, 9/8/04,
9/8/04, 9/13/04, 9/10/04Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

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

Name: Avaya Technology Corp.

Internal Address: _____

Street Address: 211 Mount Airy RoadCity: Basking Ridge State: NJCountry: U.S.A. Zip: 07920Additional name(s) & Address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☒ This document is being filed together with a new application.

A. Patent Application No.(s)

10/08/2004 BTOM11 00000096 501602 10946638

01 FC:8021 40.00 DA

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Douglas W. Swartz
SHERIDAN ROSS P.C.
1560 Broadway, Suite 1200
Denver, CO 80202-5145
Phone: (303) 863-9700
Fax: (303) 863-02236. Total number of applications and patents involved: 17. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit Account Number: 50-1602

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

9. 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.

Douglas W. Swartz

Reg. No. 37,739

Signature

Date

Total number of pages including cover sheet, attachments, and document: 7Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450PATENT
REEL: 015866 FRAME: 0447

ASSIGNMENT AND AGREEMENT

1400 FIRST AVE UNIT 6
LONGMONT, CO 80501

STK For value received, we, **Andrew D. Flockhart** of 1062 East 133rd Way, Thornton, Colorado 80241, **Kenneth R. Hackbarth** of 11027 North Balsam Street, Westminster, Colorado 80021, **Thomas L. Hemm** of 501 Coughlin Meadows Road, Boulder, Colorado 80302, **Sarah Hildebrandt Kiefhaber** of 1570 Tamarack Avenue, Boulder, Colorado 80304, **Joylee E. Kohler** of 1585 Claire Lane, Northglenn, Colorado 80234, **Gary Edward Olmsted** of 52 Mason Road, Ashby, Massachusetts 01431, and **Jill B. Ziobro** of 4 Cormorant Drive, Middletown, New Jersey 07748, hereby sell, assign and transfer to Avaya Technology Corp., a corporation of the State of Delaware, having an office at 211 Mount Airy Road, Basking Ridge, New Jersey 07920, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **"MULTI-TASKING TRACKING AGENT"** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Avaya Technology Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Avaya Technology Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Avaya Technology Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Avaya Technology Corp. in the United States and in all countries foreign to the United States, or to such nominees as Avaya Technology Corp. may designate.

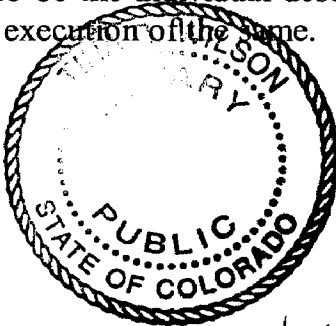
We agree that, when requested, we shall, without charge to Avaya Technology Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Andrew D. Flockhart
Andrew D. Flockhart

Date: 9/8/04

United States of America)
State of Colorado) ss.
County of Adams)

On this 8th day of September, 2004, before me personally came **Andrew D. Flockhart**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



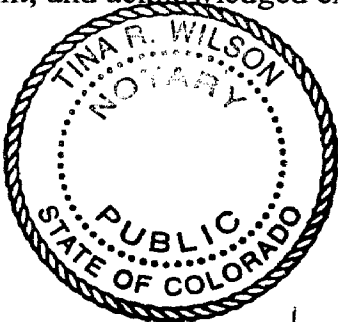
My Commission Expires 08/04/08

[Signature]
Notary Public

Date: 9/8/04

United States of America)
State of Colorado) ss.
County of Adams)

On this 8th day of September, 2004, before me personally came **Kenneth R. Hackbarth**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



My Commission Expires 08/04/08

[Signature]
Notary Public

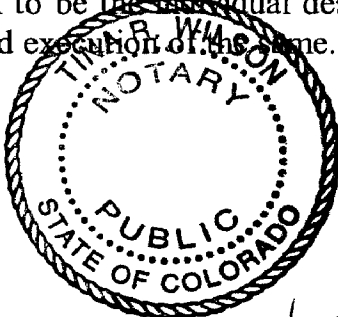


Thomas L. Hemm

Date: 9/9/04

United States of America)
State of Colorado) ss.
County of Adams)

On this 9th day of September, 2004, before me personally came **Thomas L. Hemm**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



My Commission Expires 08/04/08



Notary Public

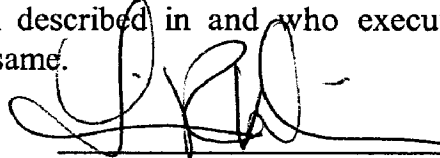
Date: 9/8/04

United States of America)
State of Colorado) ss.
County of Adams)


On this 8th day of September, 2004, before me personally came **Sarah Hildebrandt Kiefhaber**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



My Commission Expires 08/04/08



Notary Public

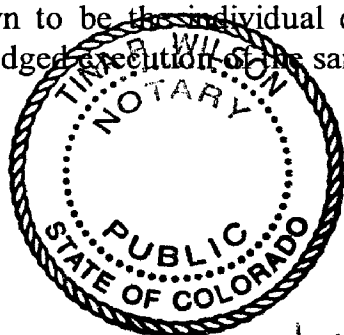


Joylee E. Kohler

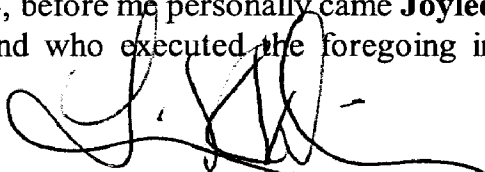
Date: 9-8-04

United States of America)
State of Colorado) ss.
County of Adams)

On this 8th day of September, 2004, before me personally came **Joylee E. Kohler**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



My Commission Expires 08/04/08



Notary Public

Gary Edward Olmsted

Date: _____

United States of America)
State of Massachusetts) ss.
County of _____)

On this _____ day of _____, 2004, before me personally came **Gary Edward Olmsted**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

Joylee E. Kohler


Date: _____

United States of America)
State of Colorado) ss.
County of _____)

On this _____ day of _____, 2004, before me personally came **Joylee E. Kohler**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

Date: 9/13/2004



Gary Edward Olmsted

United States of America)
State of Massachusetts) ss.
County of _____)

On this _____ day of _____, 2004, before me personally came **Gary Edward Olmsted**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

Date: Sept. 10, 2004

Jill B. Ziobro
Jill B. Ziobro

United States of America)
State of New Jersey) ss.
County of Monmouth)

On this 10th day of September, 2004, before me personally came **Jill B. Ziobro**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Sean B. DeBree
Notary Public

Sean B. DeBree
Notary Public of New Jersey
My Commission Expires 12/05/2007

Avaya Technology Corp.
211 Mount Airy Road
Basking Ridge, New Jersey 07920