

10-26-2004

VRTS -0933



FORM PTO-1595 (Rev. 6-93) OMB No. 0651-0011 (exp. 4/94)

U.S. Department of Commerce Patent and Trademark Office

102867781

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying party(ies):

Michael Root

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- X Assignment Merger Security Agreement Change of Name Other

Execution Date: October 18, 2004

10-19-04

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

Name: Veritas Operating Corporation

Internal Address:

Street Address: 350 Ellis Street

City: Mountain View State: CA Zip: 94043

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

22141 U.S. PTO 10/968298 101904

4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is: October 19, 2004 (Date of Filing)

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes No

10968298

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

Name: Raymond R. Moser Jr.

Internal Address: MOSER, PATTERSON & SHERIDAN LLP

Street Address: 595 Shrewsbury Avenue, First Floor

City: Shrewsbury State: NJ Zip: 07702

6. Total number of applications and patents involved:

7. Total fee (37 C.F.R. 3.41)----- \$ 40.00

- Enclosed X Authorized to be charged to deposit account

20-0782

8. Deposit account number:

20-0782

DO NOT USE THIS SPACE

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.

Raymond R. Moser Jr.

Name of Person Signing Registration No. 34,682

Signature [Handwritten Signature]

10-19-04 Date

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

Mail documents to be recorded with required cover sheet information to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

10/25/2004 6T0W11 0000061 200782 10968298 01 FC:8021 40.00 BA

ASSIGNMENT FOR APPLICATION FOR PATENT

WHEREAS:

Names and Addresses
of Inventors:

1) Michael Root
2765 Creekside Drive
San Jose, CA 95132

2)

3)

(hereinafter referred to as Assignors), have invented a certain invention entitled:

METHOD AND APPARATUS FOR IMPROVING A COMPUTER BOOT SEQUENCE

for which application for Letters Patent in the United States was executed on even date herewith;
and

WHEREAS, VERITAS Operating Corporation, a corporation of the State of Delaware, having a place of business at 350 Ellis Street, Mountain View, CA 94043 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said application (hereinafter referred to as Application), and the invention disclosed therein (hereinafter referred to as Invention), and in and to all embodiments of the Invention, heretofore conceived, made or discovered by said Assignors, and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter referred to as Patents) thereon granted in any and all countries and groups of countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Assignors to have been received in full from said Assignee:

1. Said Assignors hereby sell, assign, transfer and convey to Assignee the full and exclusive right, title and interest (a) in and to said Application and said Invention; (b) in and to all rights to apply for patents on said Invention in any and all countries pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all Applications filed and any and all Patents granted on said Invention in any and all countries and groups of countries, including each and every Application filed and each and every Patent granted on any application which is a division, substitution, or continuation of said Application; and (d) in and to each and every reissue or extension of any of said Patents.

2. Said Assignors hereby covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest to said Invention herein conveyed in any and all countries and groups of countries. Such cooperation by said Assignors shall include prompt production of pertinent facts and documents, giving testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said

Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said Invention; (d) for filing and prosecuting applications for reissuance of any of said Patents; (e) for interference or other priority proceedings involving said Invention; and (f) for legal proceedings involving said Invention and any application therefor and any Patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Assignors in providing such cooperation shall be paid for by said Assignee.

3. The term and covenants of this agreement shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Assignors, their respective heirs, legal representatives and assigns.

4. Said Assignors hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Assignors have executed and delivered this instrument to said Assignee on the dates indicated below.

- 1) Oct 18, 2004 Michael Root
Michael Root
- 2) _____, 2004 _____
- 3) _____, 2004 _____