

11-30-2004



Form PTO-1595
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

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U.S. Patent and Trademark Office

102891781

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

1. Name of conveying party(ies):
Texas.net, Inc.

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

2. Name and address of receiving party(ies)
Name: Giganews, Inc.
Internal Address: _____
Street Address: _____
2700 Via Fortuna, Suite 500
Austin, Texas 78746

City: _____
Country: _____ Zip: _____
Additional name(s) & address(es) attached: Yes No

3. Nature of Conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____
Execution Date: March 15, 2004

4. Application number(s) or patent number(s):
If this document is being filed together with a new application, the execution date of the new application is: _____
A. Patent Application No.(s):
10/672198
B. Patent No.(s): _____
Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Steven R. Greenfield
JENKENS & GILCHRIST, A PROFESSIONAL CORPORATION
Internal Address: Atty. Dkt.: 53628-00006USPT
Street Address:
1445 Ross Avenue, Suite 3200

City: Dallas State: TX Zip: 75202

6. Total number of applications and patents involved: 1
7. Total fee (37 CFR 3.41) \$ 40.00
 Enclosed
 Authorized to be charged to deposit account
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(Form 2038 enclosed)
8. Deposit account number:
10-0447
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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.

Steven R. Greenfield
Name of Person Signing [Signature] Signature Nov 18, 2004 Date

Total number of pages including cover sheet, attachments, and documents: 5

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: 11/22/04 Signature: Carol Marsteller (Carol Marsteller)

Corr.
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FINANCE SECTION

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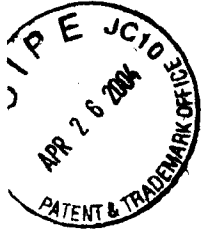
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PATENT
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04-29-2004

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Form PTO-1595 (Rev. 03/01) REC OMB No. 0651-0027 (exp. 5/31/2002)

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

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

<p>1. Name of conveying party(ies): Texas.net, Inc.</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies) Name: <u>Giganews, Inc. Texas.net, Inc.</u> Internal Address: _____ Street Address: _____ 2700 Via Fortuna, Suite 500 Austin, Texas 78746</p> <p>City: _____ Country: _____ Zip: _____</p> <p>Additional name(s) & address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>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 _____</p> <p>Execution Date: <u>March 15, 2004</u></p>	
<p>4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the new application is: _____</p> <p>A. Patent Application No.(s): <u>10/672198</u></p> <p>B. Patent No.(s): _____</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Steven R. Greenfield</u> <u>JENKENS & GILCHRIST, A PROFESSIONAL CORPORATION</u> Internal Address: <u>Atty. Dkt.: 53628-00006USPT</u> Street Address: _____ <u>1445 Ross Avenue, Suite 3200</u></p> <p>City: <u>Dallas</u> State: <u>TX</u> Zip: <u>75202</u></p>	<p>6. Total number of applications and patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41) \$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Authorized to be charged to credit card (Form 2038 enclosed)</p> <p>8. Deposit account number: _____ <u>10-0447</u> (Attach duplicate copy of this page if paying by deposit account)</p>
<p style="text-align: center;">DO NOT USE THIS SPACE</p>	
<p>9. Statement and signature. <i>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.</i></p> <p style="text-align: center;"> <u>Steven R. Greenfield</u> <u><i>Steven R. Greenfield</i></u> <u>April 20, 2004</u> Name of Person Signing Signature Date </p> <p>Total number of pages including cover sheet, attachments, and documents: <u>5</u></p>	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 4/21/04 Signature: *Car Marstaller* (Carol Marstaller)

DALLAS2 1034566v1 53628-00006

PATENT REEL: 016018 FRAME: 0910

04/28/2004 610M11 0000032 10672198 40.00 01 FC:0021

ASSIGNMENT

WHEREAS, Texas.net, Inc., a corporation organized and existing under the laws of the State of Texas, having its principal place of business at 2700 Via Fortuna, Suite 500, Austin, Texas 78746 (hereinafter referred to as "ASSIGNOR"), has the entire right, title and interest in and to the invention known as "**METHOD AND SYSTEM FOR PROVIDING LAYER-4 SWITCHING TECHNOLOGIES**" and in and to an application for United States Letters Patent and any Letters Patent that may issue thereon.

WHEREAS, Giganews, Inc., a corporation organized and existing under the laws of the State of Texas, having its principal place of business at 2700 Via Fortuna, Suite 500, Austin, Texas 78746 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring ASSIGNOR's entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives ASSIGNOR's entire right, title and interest in and to said invention and in and to said applications and all patents which may be granted therefore, and all divisions, reissues, substitutions, continuations, continuation-in-part and extensions thereof; and ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to the said ASSIGNEE of our entire right, title and interest.

ASSIGNOR also hereby sells and assigns to said ASSIGNEE, its successors, assigns and

legal representatives the full and exclusive rights, title and interest to the invention disclosed in said applications throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and

ASSIGNOR further agrees to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

ASSIGNOR hereby further agrees that it will communicate to said ASSIGNEE, or its successors, assigns and legal representatives, any facts known respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

ASSIGNOR hereby provides the United States Patent Office Serial Number 10/672,198 and Filing Date September 26, 2003 of said application also identified as Case Docket No. 53628-00006USPT:

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of March, 2004.

Texas.Net, Inc.
a Texas corporation

By: [Signature]
Name: Jonah Y. Kubaitis
Office: CEO

State of Texas §
County of Tarrant §

On this 15th day of March, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Jonah B. Yokubaitis, a Texas corporation, known by me to be the person of the above name who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.



Carmen Garces
Notary Public

Thank you in advance for your assistance. We will await receipt of the corrected version of the Notice of Recordation of Assignment Document. Please address all communications concerning this matter to the undersigned.

Dated: Nov 18, 2004

Respectfully submitted,



By Steven R. Greenfield

Registration No.: 38,166
JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION
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(214) 855-4500
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