

12-08-2004



HEET

11/29/04

102897546

Y

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):

Patricia L. Yingst

Execution Date(s) November 23, 2004

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

2. Name and address of receiving party(ies)

Name: BMC Software, Inc.

Internal Address: _____

Street Address: 2101 CityWest Blvd.

City: Houston

State: TX

Country: US Zip: 77042

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

3. Nature of conveyance:

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

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

12/07 2004 GTON11 00000206 501922 10998399
01 FC 8021 40.00 DA

Additional numbers attached? Yes No

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

Name: Sean McDermott

Internal Address: _____

Street Address: 20333 SH 249, Suite 600

City: Houston

State: TX Zip: 77070

Phone Number: 832-446-2416

Fax Number: 832-446-2424

Email Address: smcdermott@counselip.com

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed
- None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 501922 (149-0132US)

Authorized User Name Wong Cabello et al.

9. Signature:

Signature

11-29-2004

Date

Sean McDermott - Reg. No. 49,000

Name of Person Signing

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

3

Documents 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. 22313-1450

PATENT
REEL: 016041 FRAME: 0975

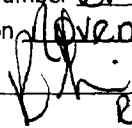
17858 U.S. PTO
10/998399

112904

ASSIGNMENT

Inventors : Patricia L. Yingst
Title : Method and Apparatus for Loading Data into Multi-Table
Tablespace
Serial No. : Unknown Docket : 149-0132US
Filed : Herewith Client Ref: 04-002-US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37 C.F.R. 1.10) The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Express mail label number <u>21468040573US</u> on <u>November 29, 2004</u> .  _____ Rebecca Ginn
--

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which is hereby acknowledged, the undersigned do hereby:

SELL, ASSIGN AND TRANSFER to BMC SOFTWARE, INC., (the "Assignee"), a corporation of Delaware having a place of business at 2101 CityWest Blvd., Houston, TX 77042 the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent identified above, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all

divisional, continuing, substitute, renewal, reissue and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

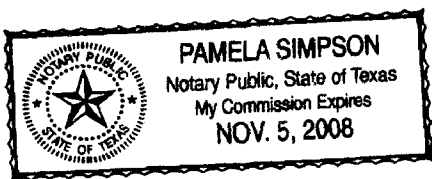
Executed on 11/23/2004 by Patricia L. Yingst
Date Patricia L. Yingst

STATE OF TEXAS

County of Trawls

BEFORE ME, this 23 day of November, 2004 personally appeared the above-named individual, to me known to be the persons who are described in and who executed the foregoing assignment instrument and acknowledged to me that they executed the same of their own free will for the purposes therein expressed.

SEAL



Pamela Simpson

Notary or Consular Officer

My Commission Expires: 11/5/08