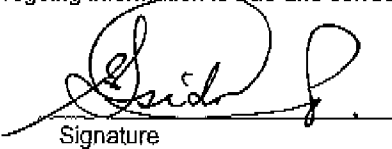


Substitute Form PTO -1595		RECORDATION FORM COVER SHEET PATENTS ONLY		Attorney Docket No. AUS920040920US1	
To The Honorable Commissioner of Patents and trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): ROBERT H. BELL, JR. GUY LYNN GUTHRIE WILLIAM JOHN STARKE			Execution date: <u>January 20, 2005</u> <u>January 20, 2005</u> <u>January 20, 2005</u>		
2. Name and address of receiving party(ies): INTERNATIONAL BUSINESS MACHINES CORPORATION NEW ORCHARD ROAD ARMONK, NEW YORK 10504			3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Merger <input type="checkbox"/> Other		
4. Application number(s) or patent number(s): <input type="checkbox"/> New Patent Application <input checked="" type="checkbox"/> Patent Application Number: 11/054,394 <input type="checkbox"/> Patent Number:			Execution/Filing/Issue Date Execution Date <u>02/09/05</u> Filing Date Issue Date		
5. Name and address of party to whom correspondence concerning document should be mailed: MARK E. MCBURNEY IBM Corporation Intellectual Property Law Zip 4054 11400 Burnet Road Austin, Texas 78758			6. Total number of applications and patents involved:1 7. Total fee (37 CFR 3.41). \$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input checked="" type="checkbox"/> Authorized to charge any deficiency to deposit account 8. Deposit account number: 09-0447 (Attach duplicate copy of this page if paying by deposit account)		
DO NOT USE THIS SPACE					
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> <div><div><u>Eustace P. Isidore, Reg. No. 56,104</u> Name of Person Signing</div><div> Signature</div><div><u>04/18/05</u> Date</div></div> Total number of pages including cover sheet, attachments, and documents: 3					

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ASSIGNMENT

Whereas, WE,

- (1) Robert H. Bell, Jr., of Austin, Travis County, Texas;
- (2) Guy Lynn Guthrie, of Austin, Travis County, Texas; and
- (3) William John Starke, of Round Rock, Williamson County, Texas;

have invented certain improvements in

**CACHE MECHANISM AND METHOD FOR AVOIDING CAST OUT ON BAD VICTIM
SELECT AND RECYCLING**

and executed, respectively, a United States patent application therefor on (Date Inventor Signed Declaration) (1) Jan 20, 2005; (2) Jan 20, 2005 and ; (3) JAN 20, 2005.

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 at Austin, TX on Jan 20, 2005.

Robert H. Bell, Jr.

Robert H. Bell, Jr.

(2) Signed at Austin, TX on Jan 20, 2005.

Guy Lynn Guthrie

Guy Lynn Guthrie

(3) Signed at AUSTIN, TX on JAN 20, 2005.

William John Starke

William John Starke