

**PATENT ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	CORRECTIVE ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	Corrective Assignment to correct the assignee name from Avaya Inc. to Avaya Technology Corp. previously recorded on Reel 016105 Frame 0436. Assignor(s) hereby confirms the correct assignee is Avaya Technology Corp..

**CONVEYING PARTY DATA**

Name	Execution Date
Cetacean Networks, Inc.	07/30/2004

**RECEIVING PARTY DATA**

<b>Name:</b>	Avaya Technology Corp.
<b>Street Address:</b>	211 Mount Airy Road
<b>Internal Address:</b>	3C531
<b>City:</b>	Basking Ridge
<b>State/Country:</b>	NEW JERSEY
<b>Postal Code:</b>	07920

**PROPERTY NUMBERS Total: 14**

Property Type	Number
Patent Number:	6556564
Application Number:	09746744
Application Number:	10162454
PCT Number:	US0217689
Application Number:	10286013
Application Number:	10345897
Application Number:	10383698
Application Number:	10703186
Application Number:	10814604
PCT Number:	US0409813
PCT Number:	US0424325
Application Number:	10936881
PCT Number:	US0429421

**CH \$560.00 6556564**

Application Number: 10900986

**CORRESPONDENCE DATA**

Fax Number: (908)953-5408

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 908-953-3916

Email: chank@avaya.com

Correspondent Name: Kenneth Y.K. Chan

Address Line 1: 211 Mount Airy Road

Address Line 2: 3C531

Address Line 4: Basking Ridge, NEW JERSEY 07920

**NAME OF SUBMITTER:**

Kenneth Y.K. Chan (Reg. No. 55,046)

**Total Attachments: 8**

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<b>PATENT ASSIGNMENT</b>
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Electronic Version v1.1  
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**06/08/2005**  
**500034834**

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT
<b>CONVEYING PARTY DATA</b>	
Name	Execution Date
Cetacean Networks, Inc.	07/30/2004
<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	Avaya Inc.
<b>Street Address:</b>	211 Mount Airy Road
<b>Internal Address:</b>	3C531
<b>City:</b>	Basking Ridge
<b>State/Country:</b>	NEW JERSEY
<b>Postal Code:</b>	07920
<b>PROPERTY NUMBERS Total: 14</b>	
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Patent Number:	6556564
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Correspondent Name: Kenneth Y.K. Chan

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Address Line 2: 3C531

Address Line 4: Basking Ridge, NEW JERSEY 07920

NAME OF SUBMITTER:

Kenneth Y.K. Chan (Reg. No. 55,045)

Total Attachments: 3

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## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), is by and between Cetacean Networks, Inc. a Delaware corporation, with offices at 100 Arboretum Drive, Portsmouth, New Hampshire 03801, United States of America ("ASSIGNOR"), and Avaya Technology Corp., a Delaware corporation, with offices at 211 Mount Airy Road, Basking Ridge, New Jersey 07920, United States of America ("ASSIGNEE"). This Agreement is being entered into pursuant to the Bill of Sale and Assignment dated July 30, 2004, between Avaya Inc., ASSIGNEE's parent company, and ASSIGNOR (the "Purchase Agreement"), and shall become effective as of the Closing Date specified in the Purchase Agreement ("Effective Date").

### RECITALS

A. WHEREAS, the Purchase Agreement provides that the parties hereto shall enter into this Assignment in order to assign certain of ASSIGNOR's intellectual property assets to ASSIGNEE as prescribed herein;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents and patent applications, listed in the attached Schedule (hereinafter "TRANSFERRED PATENTS AND APPLICATIONS"); and

C. WHEREAS, in furtherance of the foregoing assignment of intellectual property assets, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in the TRANSFERRED PATENTS AND APPLICATIONS for all countries, jurisdictions and political entities of the world, to and in ASSIGNEE.

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR agrees to assign, convey, transfer and deliver and does hereby assign, convey, transfer and deliver to ASSIGNEE, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS AND APPLICATIONS and corresponding counterpart foreign patents and patent applications.

ASSIGNOR agrees that, upon ASSIGNEE's request, ASSIGNOR will at any time without charge to ASSIGNEE but at ASSIGNEE's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to the TRANSFERRED PATENTS AND APPLICATIONS in ASSIGNEE, its successors, assigns and legal representatives or nominees.

ACKNOWLEDGMENTS

STATE OF MASSACHUSETTS )  
 ) ss.  
COUNTY OF MIDDLESEX )

I CERTIFY that on this 30<sup>th</sup> day of July, 2004, and personally known to me  
DEKKERS DAVIDSON personally came before me and this person  
acknowledged under oath, to my satisfaction that:

- a) this person signed, sealed and delivered the attached Patent Assignment as CHIEF EXECUTIVE OFFICER of Cetacean Networks, Inc. and had the authority to do so; and
- b) this Patent Assignment was signed and made by Cetacean Networks, Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.

Mariann Barrett  
Name: MARIANNE BARRETT  
Notary Public Notary Public  
My Commission Expires Nov. 19, 2004  
My Commission Expires:

[Notarial Seal]

STATE OF new jersey )  
 ) ss.  
COUNTY OF Somerset )

I CERTIFY that on this 8<sup>th</sup> day of September, 2004,  
Justin Choi personally came before me and this person  
acknowledged under oath, to my satisfaction that:

- a) this person signed, sealed and delivered the attached Patent Assignment as VP and Secretary of Avaya Technology Corp. and had the authority to do so; and
- b) this Patent Assignment was signed and made by Avaya Technology Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.

Samantha Lynn Pell  
Name:  
Notary Public  
My Commission Expires: SAMANTHA LYNN PELL  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 6/1/2014

## Schedule of Transferred Patents and Applications

1. Title: **Network Switch with Packet Scheduling.**  
U.S. Provisional Application # 60/171,956; filing date: December 23, 1999.  
U.S. Non-Provisional Application # 09/746,744; filing date: December 22, 2000.  
European Patent Application # 00 988 321.6; filing date: December 22, 2000.  
Japan Application # 2001-547777; filing date: December 22, 2000.
2. Title: **Real-Time Network Scheduled Packet Routing System.**  
U.S. Provisional Application # 60/295,943; filing date: June 5, 2001.  
U.S. Provisional Application # 60/296,238; filing date: June 6, 2001.  
U.S. Non-Provisional Application # 10/162,454; filing date: June 4, 2002.  
PCT/US2002/17689; filing date: June 4, 2002.  
European Patent Application # 02 744 222.7; filing date June 4, 2002.
3. Title: **Scheduled Internet Protocol Telephone Instrument System.**  
U.S. Non-Provisional Application # 09/780,685; filing date: February 8, 2001.  
U.S. Patent # 6,556,564.
4. Title: **Generation of Redundant Scheduled Network Paths Using a Branch and Merge Technique.**  
U.S. Provisional Application # 60/344,448; filing date: November 1, 2001.  
U.S. Non-Provisional Application # 10/286,013; filing date: November 1, 2002.
5. Title: **Method for Achieving High Availability of Itineraries in a Real-Time Network Scheduled Packet Routing System.**  
U.S. Provisional Application # 60/349,115; filing date: January 16, 2002.  
U.S. Non-Provisional Application # 10/345,897; filing date: January 16, 2003.
6. Title: **Systems and Methods for the Emulation of TDM Circuits Over a Real-Time Scheduled Packet Network.**  
U.S. Provisional Application # 60/362,364; filing date: March 7, 2002.  
U.S. Provisional Application # 60/394,775; filing date: July 10, 2002.  
U.S. Non-Provisional Application # 10/383,698; filing date: March 7, 2003.
7. Title: **System and Method for Per Flow Guaranteed Throughput, Multiple TCP Flow Bandwidth Provisioning, and Elimination of Packet Drops for Transmission Control Protocol (TCP) and TCP-Friendly Protocols.**  
U.S. Provisional Application # 60/424,331; filing date: November 6, 2002.  
U.S. Non-Provisional Application # 10/703,186; filing date: November 6, 2003.
8. Title: **System and Method for Efficient Scheduling of Periodic Phenomena.**  
U.S. Provisional Application # 60/459,057; filing date: March 31, 2003.  
U.S. Non-Provisional Application # 10/814,604; filing date: March 31, 2004.  
PCT/US2004/009813; filing date: March 31, 2004.
9. Title: **Systems and Methods for the Synchronization of a Real-Time Scheduled Packet Network Using Relative Timing.**  
U.S. Provisional Application # 60/490,609; filing date: July 28, 2003.  
U.S. Non-Provisional Application # 10/900,986; filing date: July 28, 2004.  
PCT/US2004/024325; filing date: July 28, 2004.
10. Title: **Systems and Methods for the Schedule Alignment of a Packet Flow.**  
U.S. Provisional Application # 60/501,391; filing date: September 9, 2003.  
U.S. Non-Provisional Application # 10/936,881.  
PCT/US2004/029421

PATENT

RECORDED: 06/14/2005

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