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OMB No. 0651-0027 (exp. 6/30/2005)

Attorney Docket No. MS1-2373US

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

1. Name of conveying party(ies):

Geoffrey R Smith
David C. Clifford
Grant D Mohr

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

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

Internal
Address:

Street Address: One Microsoft Way

City: Redmond State: WA Zip: 98052-6399

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

3. Nature of conveyance:

 Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: 4/6/2005

4. Application number(s) or patent number(s):
If this document is being filed together with a new application, the execution date of the application is:
A. Patent Application No.(s)

11/100,756, filed 4/7/2005

B. Patent Registration No.(s)

Additional number(s) attached Yes No

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

Name: Lee & Hayes, PLLC

Internal Address:

421 W. Riverside, Suite 500
Spokane, WA 99201, 509-324-9256

City: Spokane State: WA Zip 99201

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41)..... \$40.00
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12-0769

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CH \$40.00 120769 11100756

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number 11/100,756
Filing Date 04/07/2005
Inventorship Smith et al.
Applicant Microsoft Corporation
Attorney's Docket No. MS1-2373US
MSDocket No. 311015.01
Title: Retry Request Overload Protection

PATENT ASSIGNMENT

PARTIES TO THE ASSIGNMENT

Assignor(s):

Geoffrey R Smith
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Grant D Mohr
153 Cypress Ave.
San Bruno, CA 94066

Assignee:

Microsoft Corporation
Corporation in the State of Washington
One Microsoft Way
Redmond, WA 98052

AGREEMENT

WHEREAS, ASSIGNOR(S) (listed above) are inventor(s) of an invention entitled "Retry Request Overload Protection," for which:

a provisional application for United States Letters Patent was filed on.....and was given U.S. Serial No. ...and/or

a non-provisional application for United States Letters Patent was:

filed on 4/7/2005 and was given


U.S. Serial No. 11/100,756; or filed concurrently herewith.


WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at One Microsoft Way, Redmond, WA 98052, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries;


NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sell, assign and transfer unto ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR(S) had this assignment, transfer and sale not been made. ASSIGNOR(S) hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR(S) agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefore.

Attorney Docket No. MS1-2373US
MS Docket No. 311015.01

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Geoffrey R. Smith


David C. Clifford


Grant D Mohr