

02-18-2005

SHEET



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Docket No.: 61607-1281

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or the new address(es) below.

1. Name of conveying part(ies)/Execution Dates:

William L. Betts
Rafael Martinez

Execution Date(s): **September 6, 2000**

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

2. Name and address of receiving party(ies)

Name: **Paradyne Corporation**

Internal Address:

Street Address: **8545 126th Avenue, North**

City: **Largo**

State: **Florida**

Country: **USA** Zip: **33773**

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

112967 U.S. PAT. & TM. OFF. 11/05/1440

3. Nature of conveyance:

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

2-4-05

4. Application number(s) or patent number(s):

This document is being filed together with a new application.

A. Patent application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes No

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

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6. Total number of applications/patents involved: [#]

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)

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9. Signature:

Karen G. Hazzah
Signature

Feb. 4, 2005
Date

Karen G. Hazzah

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

Name of the Person Signing

5

Mail documents to be recorded (including Cover Sheet) should be faxed to (703) 306-5995, or mailed to :
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02/17/2005 DBYRME 00000201 160255 11051440

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**ASSIGNMENT
OF UTILITY PATENT APPLICATION**

WHEREAS, the following parties:

| <u>Name</u> | <u>Address</u> |
|------------------|--|
| William L. Betts | 2016 Montana Ave, NE, St. Petersburg, FL 33703 |
| Rafael Martinez | 2425 Anthony Ave., Clearwater, FL 33759 |

hereinafter referred to as ASSIGNOR, has/have invented certain new and useful improvements ("invention(s)") as described and set forth in the below-identified utility application for United States Letters Patent entitled:

SYSTEM AND METHOD FOR DERIVING SYMBOL TIMING,

which was:

- executed on even date herewith,
- filed with the United States Patent and Trademark Office (USPTO) on _____, and assigned Serial No. _____, and
- further described in U.S. Provisional application entitled Equalizer Derived Symbol Timing, filed with the USPTO on October 27, 1999, and assigned Serial No. 60/161,799.

Note: Only one of the first two checkboxes will be checked. The third checkbox will be checked, only if appropriate.

WHEREAS, Paradyne Corporation, having a place of business at 8545 126th Avenue North, Largo, Florida 33773, hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNOR'S interest in and to said invention(s), said utility application, said provisional application, and any U.S. and foreign patents which are related to the same.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by ASSIGNOR, ASSIGNOR has sold, assigned and transferred and does hereby sell, assign and transfer unto ASSIGNEE, and ASSIGNEE'S successors and assigns, (a) the entire right, title and interest, for the United States of America, in and to said invention(s), said utility application, and said Provisional application and all the rights and privileges in any application and under any and

all patents that may be granted in the U.S. for said inventions, including all corresponding provisional, continuation, continuation in part, divisional, reissue, and reexamination applications; and (b) the entire right, title and interest in and to said invention(s), said utility application, and said provisional application for all countries foreign to the U.S., including all rights of priority arising from them, and all the rights and privileges under any and all forms of protection, including patents, that may be granted in said countries foreign to the U.S. for them.

ASSIGNOR authorizes ASSIGNEE to make application for such protection in its own name and maintain such protection in any and all countries foreign to the U.S., and to invoke and claim for any application for patent or other form of protection for said Inventions, without further authorization from ASSIGNOR, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

ASSIGNOR hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said Inventions, said utility application, or said provisional application and to claim the aforesaid benefit of the right of priority.

ASSIGNOR requests that any and all patents for said inventions be issued to ASSIGNEE in the U.S. and to ASSIGNEE in all countries foreign to the U.S., or to such nominee as ASSIGNEE may designate.

ASSIGNOR covenants and agrees that, when requested, ASSIGNOR shall, without charge to ASSIGNEE but at ASSIGNEE'S expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable, or convenient in connection with the patent applications, patents, or other forms of protection of said invention(s), and for the defense and protection thereof if challenged in the court of law.

ASSIGNOR authorizes ASSIGNEE or its agents to insert, on ASSIGNOR'S behalf, the filing date and/or serial number above pertaining to the utility application and/or the provisional application, if not known as of the date of execution of this document.

William Lewis Betts

William Lewis Betts

Date: Sept 6, 2000

United States of America

State of Florida

County of Pinellas

On this 6 day of September, 2000, before me personally came **William Lewis Betts** to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.

Joyce Bernhardt

Notary Public



Joyce Bernhardt
MY COMMISSION # CC663801 EXPIRES
October 18, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

My Commission Expires (Date)

Rafael Martinez
Rafael Martinez

Date: Sept 6, 2000

United States of America

State of Florida

County of Pinellas

On this 6 day of September, 2000, before me personally came **Rafael Martinez** to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.

Joyce Bernhardt
Notary Public



Joyce Bernhardt
MY COMMISSION # CC663801 EXPIRES
October 18, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

My Commission Expires (Date)