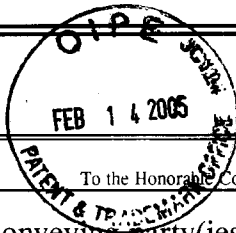


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nts or copy thereof.

1. Name of conveying party(ies):
 Ajita John, Reinhard P. Klemm,
 Doree D.Seligmann
 Additional name(s) of conveying party(ies)
 attached?
 Yes No

2. Name and address of receiving party(ies)

Name: **Avaya Technology Corp.**

Internal Address:

Street Address: **211 Mount Airy Road**

City: **Basking Ridge** State: **NJ** ZIP: **07920**

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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: **December 22, 2004**
December 22, 2004
January 3, 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) B. Patent No.(s)
10/999,902 filed November 30, 2004

Additional numbers attached? Yes No

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

Name: **Kevin M. Mason**
 Internal Address: **Ryan, Mason & Lewis, LLP**
 Street Address: **1300 Post Road, Suite 205**

City: **Fairfield** State: **CT** ZIP: **06824**

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41)..... \$ 40.00

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9. Statement and signature.

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.

Kevin M. Mason

February 7, 2005

Reg. No. 36,597

Signature

Date

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PATENT
REEL: 016261 FRAME: 0980

ASSIGNMENT AND AGREEMENT

For value received, we, Ajita John, of Holmdel, in the County of Monmouth and State of New Jersey, Reinhard P. Klemm, of North Plainfield in the County of Somerset and State of New Jersey, and Doree D. Seligmann, of New York, in the County of New York and State of New York, hereby sell, assign and transfer to Avaya Technology Corp., a corporation of the State of Delaware, having an office at 211 Mount Airy Road, Basking Ridge, New Jersey 07920, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **METHODS AND APPARATUS FOR DETERMINING A PROXY PRESENCE OF A USER** described in an application for Letters Patent of the United States, filed on November 30, 2004 and assigned Serial No. 10/999,902 and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and I also concurrently hereby sell, assign and transfer to Avaya Technology Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Avaya Technology Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from me, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent 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 Avaya Technology Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Avaya Technology Corp. in the United States and in all countries foreign to the United States, or to such nominees as Avaya Technology Corp. may designate.

We agree that, when requested, we shall, without charge to Avaya Technology Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Ajita John
Ajita John

Date: 12/22/2004

United States of America)

State of) ss.:

County of)

On this 22 day of DECEMBER, 2004, before me personally came Ajita John, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

KATHLEEN K. ADAMS
Notary Public of New Jersey
County of Union
My Commission Expires March 8, 2009

Kathleen K Adams

Notary Public

Reinhard P. Klemm

Reinhard P. Klemm

Date: 12/22/2004

United States of America)

State of) ss.:

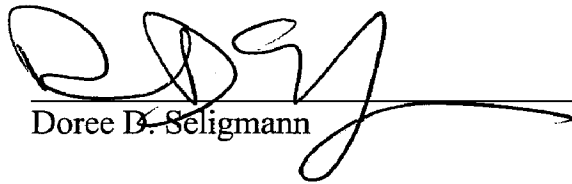
County of)

On this 22 day of DECEMBER, 2004, before me personally came Reinhard P. Klemm, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Kathleen K Adams

Notary Public

KATHLEEN K. ADAMS
Notary Public of New Jersey
County of Union
My Commission Expires March 8, 2009


Doree B. Seligmann

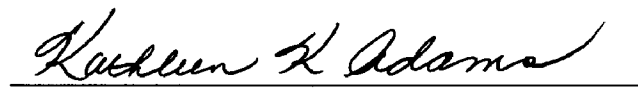
Date: 1-3-2005

United States of America)

State of) ss.:

County of)

On this 3 day of JANUARY, 2005, before me personally came Doree D. Seligmann, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.


Notary Public

Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560

KATHLEEN K. ADAMS
Notary Public of New Jersey
County of Union
My Commission Expires March 8, 2009