

02-22-2005

Attorney Docket No.:EMC04-32(04181)

REC



SHEET

102946059

To the Honorable Commissioner of

Patents. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies)

Paul J. Timmins Executed: January 19, 2005  
Xiaosu Wu Executed: January 10, 2005  
Karl Martin Connolly Executed: January 6, 2005

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

## 3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: January 19, 2005, January 10, 2005  
January 6, 2005

## 2. Name and address of receiving party(ies)

Name: EMC Corporation

Internal Address:

Street Address: 35 Parkwood Avenue

City: Hopkinton State: MA ZIP: 01748

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

## 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)

10/954,991

02/17/2005 DTESSEM1 00000056 10954991

05 FEB 2005

40.00 00

Additional numbers attached? ☐ Yes ☒ No

B. Patent No.(s)

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

Name: Barry W. Chapin, Esq.

Internal Address:

CHAPIN &amp; HUANG, L.L.C.

Street Address: Westborough Office Park

1700 West Park Drive

City: Westborough State: MA ZIP: 01581

## 6. Total number of applications and patents involved: [ 1 ]

7. Total Fee (37 C.F.R. 3.41)..... \$ 40.00

☒ Enclosed with application filing fee  
☒ Authorized to charge any deficiencies or credit any overpayment to deposit account  
☐ Authorized to be charged to deposit account

## 8. Deposit account number:

50-0901

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 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.

Barry W. Chapin  
Reg. No.: 39,934

Name of Person Signing

Signature

February 14, 2005

Date

Total number of pages including cover sheet, attachments, and document: [8]

## ASSIGNMENT

**WHEREAS**, we, Paul J. Timmins, Xiaosu Wu and Karl Martin Connolly have invented an invention comprising and/or embodying certain improvements or discoveries or both as described in an application for Letters Patent of the United States entitled SYSTEM AND METHODS FOR MANAGING BACKUP STATUS REPORTS, the specification of which:

- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☒ was filed on September 30, 2004 as U.S. Application No. 10/954,991;
- ☐ was patented under U.S. Patent No. \_\_\_\_\_ on \_\_\_\_\_.

**WHEREAS**, EMC Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 176 South Street, Hopkinton, Massachusetts 01748 desires to acquire an interest therein in accordance with agreements duly entered into with us;

**NOW, THEREFORE**, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey to ASSIGNEE all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

**AND**, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution,

reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals as set forth below:

1/19/05

Date:

Paul J. Timmins

Inventor's Signature

Print full name of first inventor:

Paul J. Timmins

Residence:

66 Hartford Street

Citizenship:

Natick, MA 01760

United States of America

Mailing Address:

STATE/Commonwealth of CALIFORNIA  
COUNTY OF SANTA CLARA

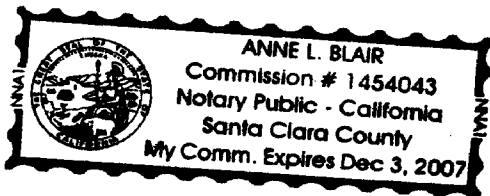
On this 19<sup>TH</sup> day of JANUARY, 2005, ~~then~~, then personally appeared before me the above-named PAUL J. TIMMINS known to me through satisfactory evidence of identification ☐ employee identification card; ☐ driver's license; ☒ (other) PERSONALLY KNOWN to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he/~~she~~ executed the same as his/~~her~~ free act and deed for the purposes therein contained.

Anne L. Blair

Notary Public

Print Name: ANNE L. BLAIR

My Commission expires 12/03/07



Date: \_\_\_\_\_

\_\_\_\_\_  
Inventor's Signature

Print full name of second inventor:

Xiaosu Wu

Residence:

293 Turnpike Road  
Apt. 516  
Westborough, MA 01581  
Peoples Republic of China

Citizenship:

Mailing Address:

STATE/Commonwealth of \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, then personally appeared before me the above-named \_\_\_\_\_ known to me through satisfactory evidence of identification ☐ employee identification card; ☐ driver's license; ☐ (other) \_\_\_\_\_ to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Inventor's Signature

Print full name of third inventor:

Karl Martin Connolly

Residence:

64 Summer Street

Westborough, MA 01581

Citizenship:

Ireland

Mailing Address:

STATE/Commonwealth of \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, then personally appeared before me the above-named \_\_\_\_\_ known to me through satisfactory evidence of identification ☐ employee identification card; ☐ driver's license; ☐ (other) \_\_\_\_\_ to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_ / \_\_\_\_ / \_\_\_\_

## ASSIGNMENT

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- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☒ was filed on September 30, 2004 as U.S. Application No. 10/954,991;
- ☐ was patented under U.S. Patent No. \_\_\_\_\_ on \_\_\_\_\_.

**WHEREAS**, EMC Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 176 South Street, Hopkinton, Massachusetts 01748 desires to acquire an interest therein in accordance with agreements duly entered into with us;

**NOW, THEREFORE**, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey to ASSIGNEE all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

**AND**, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution,

reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals as set forth below:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Inventor's Signature

Print full name of first inventor:

Paul J. Timmins

Residence:

66 Hartford Street  
Natick, MA 01760

Citizenship:

United States of America

Mailing Address:

STATE/Commonwealth of \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, then personally appeared before me the above-named \_\_\_\_\_ known to me through satisfactory evidence of identification [ ] employee identification card; [ ] driver's license; [ ] (other) \_\_\_\_\_ to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date:

Xiaosu Wu

01/10/05

Inventor's Signature

Print full name of second inventor:

Xiaosu Wu

Residence:

293 Turnpike Road

Apt. 516

Westborough, MA 01581

Citizenship:

Peoples Republic of China

Mailing Address:

STATE/Commonwealth of

Massachusetts

COUNTY OF

Middlesex

On this 10th day of January, 2005, then personally appeared before me the above-named Xiaosu Wu known to me through satisfactory evidence of identification [☒] employee identification card; [☐] driver's license; [☐] (other) \_\_\_\_\_ to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

Nanci A. Shaffer

Notary Public

Print Name:

Nanci A. Shaffer

My Commission expires 5/19/06



Date: 01/06/2005

Karl M. Connolly  
Inventor's Signature

Print full name of third inventor:

Residence:

Citizenship:

Mailing Address:

Karl Martin Connolly  
64 Summer Street  
Westborough, MA 01581  
Ireland

STATE/Commonwealth of Massachusetts  
COUNTY OF Middlesex

On this 6<sup>th</sup> day of January, 2005, then personally appeared before me the  
above-named Karl M. Connolly known to me  
through satisfactory evidence of identification ☐ employee identification card; ☒ driver's  
license; ☐ (other) \_\_\_\_\_ to be the person whose name is  
subscribed to the foregoing Assignment and acknowledged that he/she executed the same as  
his/her free act and deed for the purposes therein contained.

Nanci A. Shaffer  
Notary Public

Print Name: Nanci A. Shaffer

My Commission expires 5/19/06