

In place of Form PTO-1595

Docket No. AUS920050135US1

RECORDATION FORM COVER SHEET
PATENTS

To the Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): (1) JOY MARIE LATTEN (2) KIMBERLY DASHAWN SIMON Additional name(s) of conveying party(ies) attached? Yes <input checked="" type="checkbox"/> No	Execution Date: <u>5-25-05</u> <u>5-25-05</u>
2. Name and address of receiving party(ies): International Business Machines Corporation New Orchard Road Armonk, New York 10504	3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____

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) 11/138,829 B. Patent No.(s) _____

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

Marilyn Smith Dawkins
IBM Corporation
Intellectual Property Law
11400 Burnet Road
Austin, TX 78758
(512) 823-0094

6. Total number of applications and patents involved: 1

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

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:

09-0447

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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.

Beverly Winfield Beverly Winfield 6-9-05
Name of Person Signing Signature Date

Total number of pages including cover sheet: 2

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IBM DOCKET NO. AUS920050135US1

A S S I G N M E N T

Whereas, we,

(1) Joy Marie Latten of Austin
County of Travis and State of Texas

and

(2) Kimberly DaShawn Simon of Austin
County of Travis and State of Texas

have invented certain improvements in

SYSTEM AND METHOD FOR ERROR CHECKING OF FAILED I/O OPEN CALLS

and executed, respectively, a United States patent application therefore on
(Dates Inventors Signed Declaration) (1) May 25, 2005, and
(2) May 25, 2005.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefore;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

(1) Signed at Austin on May 25, 2005.

Joy M Latten
Joy Marie Latten

and (2) Signed at Austin on May 25, 2005.

Kimberly Simon
Kimberly DaShawn Simon