

03-07-2005

Atty. Docket No. 4366-185

Avaya Ref. No. 404008-A-01-US (Flockhart)

(Rev. 06/04)



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ER SHEET

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Y

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## 1. Name of conveying party(ies)/Execution Date(s):

Andrew D. Flockhart

Robert C. Steiner

Execution Date(s) 2/21/2005Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other \_\_\_\_\_

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

Name: Avaya Technology Corp.

Internal Address: \_\_\_\_\_

Street Address: 211 Mount Airy RoadCity: Basking Ridge State: NJCountry: U.S.A. Zip: 07920Additional name(s) & Address(es) attached? ☐ Yes ☒ No

## 4. Application 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:

Name: Douglas W. Swartz  
 SHERIDAN ROSS P.C.  
 1560 Broadway, Suite 1200  
 Denver, CO 80202-5145  
 Phone: (303) 863-9700  
 Fax: (303) 863-0223

6. Total number of applications and patents involved: 17. Total fee (37 CFR 1.21(h) & 3.41) . . . . \$ 40.00

- ☐ Enclosed  
☒ Authorized to be charged to deposit account

8. Deposit Account Number: 50-1602

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

## 9. 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.

Douglas W. Swartz

Reg. No. 37,739

Signature

Date

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TYPED OR PRINTED NAME: Amy S DuarteSIGNATURE: Amy Duarte

PATENT  
 REEL: 016338 FRAME: 0318

## ASSIGNMENT AND AGREEMENT

For value received, we, **Andrew D. Flockhart** of 1062 East 133 Way, Thornton, Colorado 80241, and **Robert C. Steiner** of 1335 Marble Court, Broomfield, Colorado 80020, 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 **“DYNAMIC WORK ASSIGNMENT STRATEGIES BASED ON MULTIPLE ASPECTS OF AGENT PROFICIENCY”** described in an application for Letters Patent of the United States, executed by us of even date herewith, 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 we 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 us, 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.

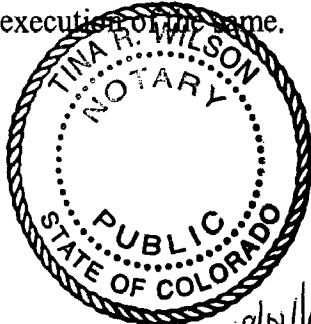
We agree that, when requested, we shall, without charge to Avaya Technology Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Andrew D. Flockhart  
Andrew D. Flockhart

Date: 2/21/05

United States of America )  
State of Colorado ) ss.  
County of Adams )

On this 21<sup>st</sup> day of February, 2005, before me personally came **Andrew D. Flockhart**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



[Signature]  
Notary Public

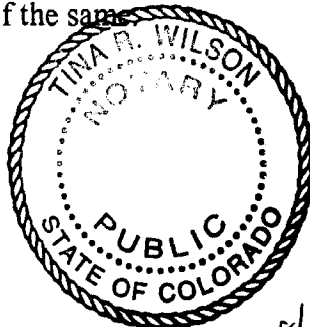
My Commission Expires 08/04/08

[Signature]  
Robert C. Steiner

Date: 2/21/2005

United States of America )  
State of Colorado ) ss.  
County of Adams )

On this 21<sup>st</sup> day of February, 2005, before me personally came **Robert C. Steiner**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



[Signature]  
Notary Public

My Commission Expires 08/04/08

Avaya Technology Corp.  
211 Mount Airy Road  
Basking Ridge, New Jersey 07920