

04-29-2005

Attorney Docket No.: **CROSS1880**

ER SHEET



To the Honorable Commissioner .

102991306

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

1. Name of Conveying party(ies):

Teracruz, Inc.

Additional name(s) of conveying party(ies)

Attached? ☐ Yes ☒ No

2. Name and address of receiving Party(ies):

Name: **Crossroads Systems, Inc.****8300 North MoPac Expressway****Suite 200****Austin, Texas 78759**

Additional name(s) & address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☐ **Assignment**☐ : Merger☐ : Security Agreement☐ : Change of name☒ Other: **Confirmatory Assignment**Execution Date: **October 29, 2004**

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) **10/934,887**

B. Patent No.(s)

Additional numbers attached? ☐ Yes : ☒ No

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

Name **Customer No. 44654**
Sprinkle IP Law Group
1301 W. 25th Street, Suite 408
Austin, Texas 787056. Total number of Applications and patents involved: **1**7. Total fee (37 CFR 3.41).... **\$ 40.00**8. ☒ **Enclosed**9. ☐ Authorized to charge the recordation fee or any underpayment to deposit account No. 50-3183.
A duplicate copy of this page is attached.

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***Ari G. Akmal**
Reg. No. 51,388**Date****4-25-05****Certificate of Mailing Under 37 C.F.R. 1.8**I hereby certify that this document is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on April **25**, 2005.

ANITA CHAGNON
Total number of pages including cover sheet, attachments, and document: **6**

CONFIRMATORY ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, Teracruz, Inc. (the "Assignor"), a Delaware Corporation, having a place of business at 1525 Perimeter Parkway, Ste 250, Huntsville, Alabama, 35806, United States, did by the Asset Purchase Agreement (the "Agreement") executed on October 21, 2004, by and between Assignor and Crossroads Systems, Inc. (the "Assignee"), a Delaware corporation, United States, and does hereby again subject to any all the terms and conditions set forth in the Agreement:

SELL, ASSIGN, TRANSFER, CONVEY to the Assignee, the following inventions and patent applications:

Application Serial Number	Country	Title	Inventor(s)
10/375,393	U.S.A	<i>System and Method for Tree Map Visualization for Database Performance Data</i>	Richard S. Walker Jack Basiago
10/441,714	U.S.A	<i>System and Method for Query Result Caching</i>	David B. Ewing Kevin R. Banks Rick A. Martindale
60/587,021	U.S.A	<i>Database Appliance and Service Manager</i>	David B. Ewing Richard S. Walker Jack Basiago
10/933,786	U.S.A	<i>Application-Layer Query Result Caching</i>	David B. Ewing Kevin R. Banks
10/934,887	U.S.A	<i>Application-Layer Monitoring of Communication Between One or One More Database Clients and One or More Database Servers</i>	David B. Ewing Rick A. Martindale
10/933,790	U.S.A	<i>Providing Application-Layer Functionality Between One or More Database Clients and One or More Database Servers</i>	David B. Ewing

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on the rights and property herein conveyed to the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the Assignor extend to the successors, assigns and nominees of the Assignee.

Assignor:

Teracruz, Inc.

Signature: David DeatonDate: 10/29/04Name: David DeatonTitle: President / CEO

STATE OF ALABAMA)

) ss.

COUNTY OF MANISON)

BEFORE ME, the undersigned authority, on this 29th day of October, 2004 personally appeared David Deaton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Linda J. Watson

Notary or Consular Officer

[SEAL]

My Commission Expires 08-01-2007

Assignee

Crossroads Systems, Inc.

Signature: _____

Date: _____

Name: _____

Title: _____

Assignor:
Teracruz, Inc.

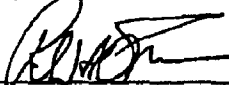
Signature: _____ Date: _____
Name: _____
Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

BEFORE ME, the undersigned authority, on this ____ day of _____, 200__ personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer
[SEAL]

Assignee
Crossroads Systems, Inc.

Signature:  _____ Date: 10/29/04
Name: RICHARD H. JONES
Title: CFO

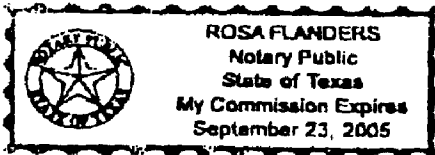
STATE OF TEXAS)
) ss.
COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this 29th day of October, 2004 personally appeared Richard H. Sorensen, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Notary or Consular Officer

[SEAL]



ASSIGNMENT OF TRADEMARKS

WHEREAS, Teracruz, Inc., a Delaware corporation, is the owner of the following trademarks in the United States Patent and Trademark Office:

<u>Trademark</u>	<u>Registration/App'n. No.</u>	<u>Date of Registration/Filing</u>
TERACRUZ	2,826,505	March 23, 2004
DBAPPLIANCE	2,859,104	June 28, 2004
DBACCELERATE	78/202622	January 13, 2003

and

WHEREAS, Crossroads Systems, Inc., a Delaware corporation, having its principal offices at 8300 North MoPac Expressway, Austin, Texas 78759, is desirous of acquiring said trademarks;

NOW, THEREFORE, in consideration of good and valuable consideration, Teracruz, Inc. hereby assigns to Crossroads Systems, Inc., all right, title and interest in the United States in and to said trademarks together with the goodwill of the business symbolized by said trademarks.

Teracruz, Inc., hereby constitutes and appoints Crossroads Systems, Inc. as Teracruz, Inc.'s true and lawful attorney in fact, with full power of substitution in Teracruz, Inc.'s name and stead, to take any and all steps, including proceedings at law, in equity or otherwise, to execute, acknowledge and deliver any and all instruments and assurances necessary or expedient in order to vest or perfect the aforesaid rights and causes of action more effectively in Crossroads Systems, Inc. or to protect the same or to enforce any claim or right of any kind with respect thereto. This includes, but is not limited to, any rights with respect to the trademarks that may have accrued in Teracruz, Inc.'s favor from the respective date of first use of any of the trademarks from the Effective Date of this Assignment. Teracruz, Inc. hereby declares that the foregoing power is coupled with an interest and as such is irrevocable.

Signed at Huntsville, AL, this 29 day of October, 2004.

TERACRUZ, INC.

By: 

Name: David Deaton

Title: President and Chief Executive Officer