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Docket No.: LOT9-2005-0060US1

To the Director of the U.S. Patent and Trademark Office. Please record the attached documents or the new address(es) below.

<p>1. Name of conveying party(ies)/Execution Date(s):</p> <p>(1) KEVIN MOONEY</p> <p>(2) DAVID A. SCOTT</p> <p>Execution Date: <u>6/29/05</u></p>	<p>2. Name and address of receiving party(ies)</p> <p>INTERNATIONAL BUSINESS MACHINES Name: <u>CORPORATION</u></p> <p>Internal Address: _____</p>
<p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Street Address: <u>NEW ORCHARD ROAD</u></p>
<p>3. Nature of conveyance.</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other _____</p>	<p>City: <u>ARMONK</u></p> <p>State: <u>NY</u></p> <p>Country: <u>USA</u> Zip: <u>10504</u></p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>4. Application number(s) or patent number(s)</p> <p>A. Patent Application No (s)</p> <p><u>11/173,384</u></p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p><input type="checkbox"/> This document is being filed together with a new application.</p> <p>B. Patent No (s)</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed</p> <p>Name: <u>MARY LOU WAKIMURA, ESQ.</u></p> <p>Internal Address: _____</p> <p><u>HAMILTON, BROOK, SMITH & REYNOLDS, P.C.</u></p> <p>Street Address: <u>530 VIRGINIA ROAD, P.O. BOX 9133</u></p> <p>City: <u>CONCORD</u> State: <u>MA</u> ZIP: <u>01742-9133</u></p> <p>Phone No. <u>978-341-0036</u> Fax No. <u>978-341-0136</u></p> <p>Email Address: <u>MARYLOU.WAKIMURA@HBSR.COM</u></p>	<p>6. Total number of applications and patents involved. <input type="checkbox"/> 1</p> <p>7. Total Fee (37 CFR 1.21(h) & 3.41) \$ <u>40.00</u></p> <p><input type="checkbox"/> Enclosed</p> <p><input checked="" type="checkbox"/> Authorization to charge deposit account number 08-0380</p> <p><input type="checkbox"/> Previously submitted - Doc. ID No <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Authorized to charge any deficiencies or credit any overpayment to deposit account number 08-0380</p> <p>Do not attach a copy of this page if paying by deposit account and filing via facsimile.</p> <p>Attach a copy of this page if paying by deposit account and filing via mail</p>
<p>8. <u>Mary Lou Wakimura</u></p> <p>Name of Person Signing</p>	<p></p> <p>Signature</p> <p><u>8/1/05</u></p> <p>Date</p>

Total number of pages including cover sheet, attachments, and documents [5]

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Docket No. LOT9-2005-0060US1

ASSIGNMENT

Whereas, we

- | | |
|--|---------------------------------------|
| (1) Kevin Mooney
County of Wake | of Raleigh
State of North Carolina |
| (2) David A. Scott
County of Hawaii | of Kamuela
State of Hawaii |

have invented certain improvements in

**METHOD AND APPARATUS FOR OBJECT-ORIENTED
LOAD TESTING OF COMPUTING SYSTEMS**

and executed a United States patent application therefor on the following dates:

- (1) 6/24/2005; and (2) _____.

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

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby acknowledge our prior existing obligation and hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of the United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on the 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.

Docket No. LOT9-2005-0060US1

Signed and sealed:

LOCATION

GALEIGH, NARRI

DATE

6/29/2005

SIGNATURE

Kevin Mooney

David A. Scott

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Docket No. LOT9-2005-0060US1

ASSIGNMENT

Whereas, we

- (1) Kevin Mooney
County of Wake
- of Raleigh
State of North Carolina
- (2) David A. Scott
County of Hawaii
- of Kamuela
State of Hawaii

have invented certain improvements in

METHOD AND APPARATUS FOR OBJECT-ORIENTED
LOAD TESTING OF COMPUTING SYSTEMS

and executed a United States patent application therefor on the following dates:

- (1) 29-JUN-2005; and (2) 29-JUN-2005

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

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby acknowledge our prior existing obligation and hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of the United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on the 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.

Docket No. LOT9-2005-0060US1

Signed and sealed:

LOCATION


DATE

SIGNATURE

KAMUELA, HI, USA

29-JUN-05

Kevin Mooney


David A. Scott

\\PFDesktop\UOP\MA\MI\ODMA\HBSR05\Manager\559207.1