

08-12-2005

Atty. Docket No. 4366-256  
Avaya Ref. No. 405024-A-01-US (Hackbarth)



(Rev. 06/04)

2 SHEET

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

103060453

7.2805

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

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

Kenneth R. Hackbarth, Jr.  
Murray Jenson  
Joylee E. Kohler  
Henry R. Paddock  
Katherine A. Sobus  
David Zanoni

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

Name: Avaya Technology Corp.  
Internal Address: \_\_\_\_\_  
Street Address: 211 Mount Airy Road  
City: Basking Ridge State: NJ  
Country: U.S.A. Zip: 07920

112921 U.S. PTO  
11193585



072805

Execution Date(s) 6/7/05, 6/8/05, 6/22/05, 6/24/05

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

Additional name(s) & Address(es) attached?  Yes  No

3. Nature of conveyance:

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

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)  
Not Yet Assigned

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: 1

7. Total fee (37 CFR 1.21(h) & 3.41) . . . . \$ 40.00  
 Authorized to be charged to deposit account  
 Enclosed  
 None required (government interest not affecting title)

8. Deposit Account Number: 50-1602

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

08/12/2005 6TOM11 0000050 501602 11193585  
01 FC:8021 40.00 DA

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

Douglas Swartz  
Signature

July 28, 2005  
Date

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

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

## ASSIGNMENT AND AGREEMENT

For value received, we, **Kenneth R. Hackbarth, Jr.** of 11027 North Balsam Street, Westminster, Colorado 80021, **Murray Jenson** of 1613 South Holland Street, Lakewood, Colorado 80232, **Joylee E. Kohler** of 1585 Claire Lane, Northglenn, Colorado 80234, **Henry R. Paddock** of 3995 Longwood Avenue, Boulder, Colorado 80305, **Katherine A. Sobus** of 1006 Weldin Circle, Wilmington, Delaware 19803, and **David Zanoni** of 4416 Wagner Drive, Bethlehem, Pennsylvania 18020, 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 **"METHOD FOR DISCOVERING PROBLEM AGENT BEHAVIORS"** 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.

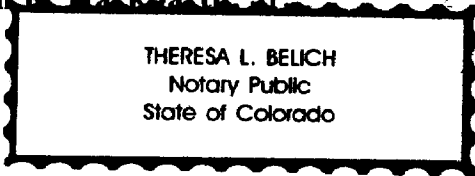
We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Avaya Technology Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit 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.

Date: 6/24/05

Kenneth R. Hackbarth, Jr.



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

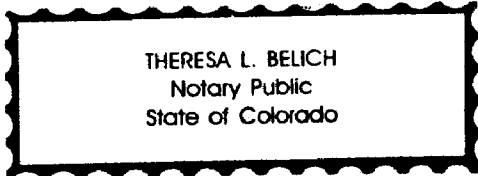
*My commission expires March 16, 2009.*

On this 24<sup>th</sup> day of June, 2005, before me personally came **Kenneth R. Hackbarth, Jr.**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

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

Date: 06/22/2005

Murray Jenson



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

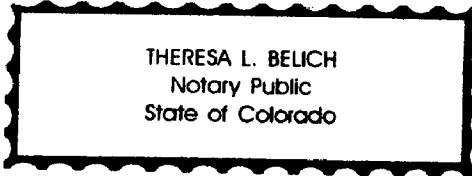
*My commission expires March 16, 2009*

On this 22<sup>nd</sup> day of June, 2005, before me personally came **Murray Jenson**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Theresa L. Belich  
Notary Public

Joylee E. Kohler  
Joylee E. Kohler

Date: 06/22/2005



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

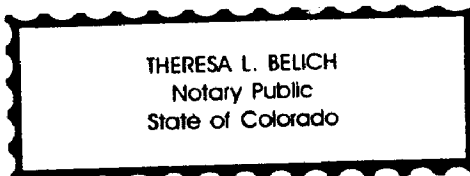
My commission expires March 16, 2009

On this 22<sup>nd</sup> day of June, 2005, before me personally came **Joylee E. Kohler**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Theresa L. Belich  
Notary Public

Date: 6/24/05

Henry R. Paddock  
Henry R. Paddock

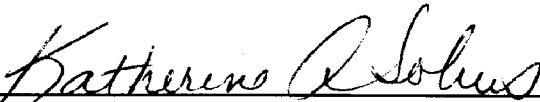


United States of America )  
State of Colorado ) ss.  
County of Adams )

My commission expires March 16, 2009

On this 24<sup>th</sup> day of June, 2005, before me personally came **Henry R. Paddock**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Theresa L. Belich  
Notary Public

  
\_\_\_\_\_  
**Katherine A. Sobus**

Date: 6/7/05

United States of America     )  
State of Delaware            ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2005, before me personally came **Katherine A. Sobus**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

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

\_\_\_\_\_  
**David Zanoni**

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

United States of America     )  
State of Pennsylvania        ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2005, before me personally came **David Zanoni**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

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

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

\_\_\_\_\_  
**Katherine A. Sobus**

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

United States of America    )  
State of Delaware            ) ss.  
County of \_\_\_\_\_        )

On this \_\_\_\_ day of \_\_\_\_\_, 2005, before me personally came **Katherine A. Sobus**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

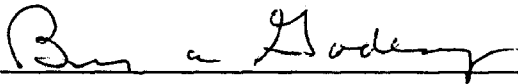
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
**David Zanoni**

Date: 6-8-05

United States of America    )  
State of Pennsylvania        ) ss.  
County of Northampton    )

On this 8<sup>th</sup> day of June, 2005, before me personally came **David Zanoni**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

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

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

