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08-17-2005



RECORDED

103063059  
**PATENTS ONLY**

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):**

Clive M. Philbrick, Peter K. Craft, David A. Higgen,  
and Laurence B. Boucher

Execution Date(s) July 26, 2005, August 3, 2005

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

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

Name: Alacritech, Inc.

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

Street Address: 234 East Gish Road

City: San Jose

State: CA

Country: U.S.A.

Zip: 95112

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):**

A. Patent Application No.(s)  
11/046,337

This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Mark Lauer

Internal Address: Silicon Edge Law Group

Street Address: 6601 Koll Center Pkwy

Suite 245

City: Pleasanton

State: CA

Zip: 94566

Phone Number: 925-484-9295

Fax Number: 925-484-9291

Email Address: Mark@SiliconEdgeLaw.com

**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 by credit card
- Authorized to be charged to deposit account
- Enclosed
- None required (government interest not affecting title)

**8. Payment Information**

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

**9. Signature:**

*[Signature]*

Signature

Date

8-11-05

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40.00, 00  
Mark Lauer  
Name of Person Signing

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

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 OF PATENT APPLICATION

WHEREAS, we, Clive M. Philbrick, Peter K. Craft, David A. Higgen, and Laurence B. Boucher (hereinafter referred to as ASSIGNORS), having post office addresses of: 1170 Roycott Way, San Jose, CA 95125, 156 Henry Street, San Francisco, CA 94114, 2012 Palm Vista Drive, Apopka, FL 32712, and 20605 Montalvo Height Drive, Saratoga, CA 95070, respectively, are the joint inventors of an invention entitled "PROTOCOL STACK THAT OFFLOADS A TCP CONNECTION FROM A HOST COMPUTER TO A NETWORK INTERFACE DEVICE," as described and claimed in the specification forming part of an application for United States letters patent filed herewith;

WHEREAS, Alacritech, Incorporated (hereafter referred to as ASSIGNEE), a corporation of the State of California having a place of business at 234 East Gish Road, San Jose, CA 95112, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, and transfer unto said ASSIGNEE, the entire right, title, and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues, and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty, or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors an assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protection of title to said invention or letters patent therefor.

IN WITNESS WHEREOF, We have hereunto signed our names on the day and year set forth below.

[Signature]  
Inventor's Signature

Clive M. Philbrick  
Inventor's Printed Name

7/26/05  
DATE

STATE OF

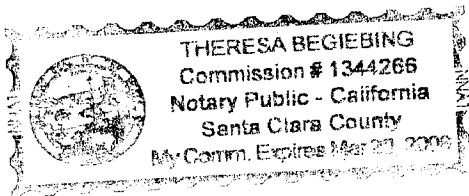
COUNTY OF

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On this 26<sup>th</sup> day of July, 2005, before me personally came the above named Clive M. Philbrick, who is personally known by me or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

[Signature]  
NOTARY PUBLIC

My Commission Expires:



[Signature]  
Inventor's Signature

Peter K. Craft  
Inventor's Printed Name

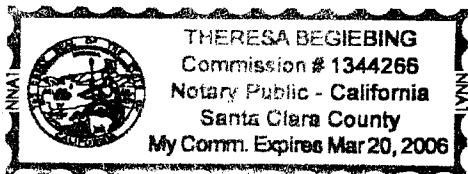
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DATE

STATE OF

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COUNTY OF

On this 26<sup>th</sup> day of July, 2005, before me personally came the above named Peter K. Craft, who is personally known by me ~~or proved to me on the basis of satisfactory evidence~~ to be the same individual who executed the foregoing assignment, and who acknowledged to me that ~~he~~ ~~she~~ executed the same of ~~his~~ ~~her~~ own free will for the use and purposes therein set forth.



[Signature]

NOTARY PUBLIC

My Commission Expires:

David A. Higgen  
Inventor's Signature

David A. Higgen  
Inventor's Printed Name

3 Aug 2005  
DATE

STATE OF

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) SS

COUNTY OF

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On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, before me personally came the above named David A. Higgen, who is personally known by me or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

NOTARY PUBLIC

My Commission Expires:

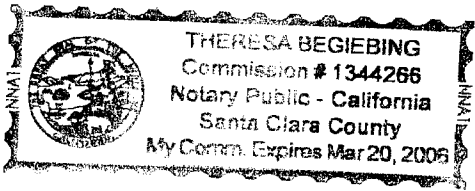
ASSIGNMENT

*Laurence B. Boucher* Laurence B. Boucher  
Inventor's Signature Inventor's Printed Name

7/26/05  
DATE

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

On this 26<sup>th</sup> day of July, 2005, before me personally came the above named Laurence B. Boucher, who is personally known by me ~~or proved to me on the basis of satisfactory evidence~~ to be the same individual who executed the foregoing assignment, and who acknowledged to me that ~~he~~ she executed the same of ~~his~~ her own free will for the use and purposes therein set forth.



*Theresa Begiebing*  
NOTARY PUBLIC

My Commission Expires:

ASSIGNMENT