FORM PTO-1595 12-2	1-2005 U.S. DEPARTMENT OF COMMERCE
1-31-92	IN HILL HILL BILL BILL BILL BILL BILL BILL
// - 1 - 03	FATENT AND TRADEMARK OFFICE
	02446
To the Honorable Commissioner of Patents and	ginal documents or copy thereof.
Name of conveying party(ies):	2. Name and address of receiving party(ies):
See attached list.	Name: Cygent, Inc.
	Totalina I Addresses
	Internal Address:
Additional name(s) of conveying party(ies) attached? X Yes No	
3. Nature of conveyance:	Street Address 201 3 <sup>rd</sup> Street, 2 <sup>nd</sup> Floor
X Assignment Merger	
Security Agreement Change of Name Other	City: San Francisco State: CA ZIP: 94103
Calci	City. San Francisco State. CA 211. 94105
Execution Date: August 12, 2003	Additional name(s) & address(es) attached? Yes X No
4. 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:
	pp
A Patent Application No.(s)	B. Patent No.(s)
10/240,614	
10/240,014	
	umbers attached? Yes X No
5. Name and address of party to whom correspondence	6. Total number of applications and patents involved: 1
Concerning document should be mailed: Name: Ria Farrell Schalnat	
Name. Ria Patien Schamat	7. Total fee (37 CFR 3.41) \$ 40.00
Internal Address: FROST BROWN TODD LLC	Enclosed 40.00
	Authorized to be charged to deposit account
Street Address: 2200 PNC CENTER	06 2226
201 East Fifth Street	06-2226 8. Deposit Account Number
City: Cincinnati State: OH ZIP: 45202	5. Deposit Account Number
	(Attach duplicate copy of this page if paying by deposit
DOMOTIVO	count)
DO NOT USE	THIS SPACE
9 Statement and signature.	
To the best of my knowledge and belief, the foregoing information	s is true and correct and any attached conv is a true conv of the
original document.	in a sum of the sum of
Ria Farrell Schalnat, Reg. No. 47,058	her for MALINE of in in
Name of Person Signing, Registration Number	Signatura 1010-05
	Date .
	otal number of pages including cover sheet,
a	ttachments, and document
	1 hypoital mith the Critical Property Control of
inLibrary/1333115.1	Commissioner of Patenta and Trademarks,
	Washington, D.C. 20231 on the date indicated
	Durch Tolly
	July Declies
	Date 10/50/63

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Serial No. 10/240,614

# Name(s) of Conveying Parties:

Kevin Elmore Vince Hoeser David Hom Linda Horne Charles Kaake Kevin Kelly Mark Mabel Hal Rodriguez Paul Stephens Vadim Pokotylo

Girish Bakhru

Attorney Docket No. CYL\_0001

### **ASSIGNMENT**

WHEREAS, We, Kevin ELMORE, Vince HOESER, David HOM, Linda HORNE, Charles KAAKE, Kevin KELLY, Mark MABEL, Hal RODRIGUEZ, Paul STEPHENS, Vadim POKOTYLO, and Girish BAKHRU, hereinafter referred to as "ASSIGNORS", have invented certain new and useful improvements, as described and set forth in the below-identified application for United States Letters Patent: `

Title of Invention: System and Method for Establishing Electronic Business Systems for Supporting Communications Services Commerce

WHEREAS, Cygent. Inc., doing business at 201 3th Street. 2th Floor. San Francisco. California 94103. hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title, and interest in the said invention and application and in any Letters Patent which may be granted with regard to the same; "NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for One Dollar (\$1.00) and other good and valuable consideration, ASSIGNORS' have sold, assigned, and transferred, and by these presents does sell, assign, and transfer unto the said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title, and interest in and to said invention, said application for United "States Letters Patent and any Letters Patent which may be hereafter granted on the same in the United States and all countries throughout the world, including any divisions, renewals, continuations in whole or part, substitutions, conversions, reissues, revivals, prolongation, or extensions thereof, said interest to be held and enjoyed by said ASSIGNORS fad this assignment and transfer not been made, for all time.  ASSIGNORS further agree that they will, without charge to said ASSIGNEE', but at ASSIGNEE's expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications, execute, worlfy, acknowledge, and deliver all such turther papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as ASSIGNEE' may lawfully request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE', or ASSIGNEE's successors and assigns.  IN TESTIMONY WHEREOF, ASSIGNORS have hereunto signed their names to the assignment on the date indicated below.  ACC 7, 7CC 7  Date  Date  Charles Kaake  Date		
hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title, and interest in the said invention and application and in any Letters Patent which may be granted with regard to the same; "NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for One Dollar (\$1.00) and other good and valuable consideration, ASSIGNORS have sold, assigned, and transferred, and by these presents does sell, assign, and transfer unto the said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title, and interest in and to said invention, said application for United States Letters Patent and any Letters Patent which may be hereafter granted on the same in the United States and all countries throughout the world, including any divisions, renewals, continuations in whole or part, substitutions, conversions, reissues, revivals, prolongation, or extensions thereof, said interest to be held and enjoyed by said ASSIGNEE' as fully and exclusively as it would have been held and enjoyed by said ASSIGNORS had this assignment and transfer not been made, for all time.  ASSIGNORS further agree that they will, without charge to said ASSIGNEE', but at ASSIGNEE'S expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications, execute, verify, acknowledge, and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as ASSIGNEE' may lawfully request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE', or ASSIGNEE'S successors and assigns.  IN TESTIMONY WHEREOF, ASSIGNORS have hereunto signed their names to the assignment on the date indicated below.  Date  Date  Date  Date	U.S. Serial No.	Filed
other good and valuable consideration, ASSIGNORS' have sold, assigned, and transferred, and by these presents does sell, assign, and transfer unto the said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title, and interest in and to said invention, said application for United 'States Letters Patent and any Letters Patent which may be hereafter granted on the same in the United States and all countries throughout the world, including any divisions, renewals, continuations in whole or part, substitutions, conversions, reissues, revivals, prolongation, or extensions thereof, said interest to be held and enjoyed by said ASSIGNORS had this assignment and transfer not been made, for all time.  ASSIGNORS further agree that they will, without charge to said ASSIGNEE', but at ASSIGNEE's expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications, execute, verify, acknowledge, and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as ASSIGNEE' may lawfully request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE', or ASSIGNEE'S successors and assigns.  IN TESTIMONY WHEREOF, ASSIGNORS have hereunto signed their names to the assignment on the date indicated below.  Date  Date  Date  Date  Charles Keeling Assignment and transfer names to the assignment on the date indicated below.	hereinafter referred to as "ASSIGNEE", is desirous of	acquiring the entire right, title, and interest in the
expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications, execute, verify, acknowledge, and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as ASSIGNEE may lawfully request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE'S successors and assigns.  IN TESTIMONY WHEREOF, ASSIGNORS have hereunto signed their names to the assignment on the date indicated below.  Kevin Elmore  Date  Date  Date  Charles Kevin  Charles Kevin  Charles Kevin  Charles Kevin  Date  Date	other good and valuable consideration, ASSIGNORS' presents does sell, assign, and transfer unto the sa assigns, all right, title, and interest in and to said in Patent and any Letters Patent which may be hereafte countries throughout the world, including any divisubstitutions, conversions, reissues, revivals, prolonga and enjoyed by said ASSIGNEE' as fully and exclusive	have sold, assigned, and transferred, and by these id ASSIGNEE, and ASSIGNEE'S successors and rention, said application for United 'States Letters regranted on the same in the United States and all sions, renewals, continuations in whole or part, tion, or extensions thereof, said interest to be held by as it would have been held and enjoyed by said
Acc 2, 2007  Kevin Elmore  Date  Vince Hoeser  Date  Date  Page 2, 2007  Date  Date  Date  Charles Kerter  Date	expense, cooperate with ASSIGNEE in the prosecution verify, acknowledge, and deliver all such further paper the reissue thereof, and instruments of assignment and as ASSIGNEE' may lawfully request, to obtain or improvement in any and all countries, and to vest	on of said application and/or applications, execute, rs. including applications for Letters Patent and for d transfer thereof, and will perform such other acts maintain Letters Patent for said invention and
Vince Hoeser  Date  Date  Date  Date  Date  Charles Keeler  Date	IN TESTIMONY WHEREOF, ASSIGNORS have here date indicated below.	unto signed their names to the assignment on the
Vince Hoeser  Date  Date  Date  Date  Date  Charles Keeler  Date	Ul K Eh	Acc 2, 2002
David Hom  Date  9/22/02  Linda Horne  Date	Kevin Elmore	Date 6 5 /- 5
David Hom  Date  9/22/02  Linda Horne  Date		70/85/0
Linda Horne Date	Vince Hoeser	Date '
Charles Kerthy	David Hom (All)	Date 9/22/02
Charles Kaake Date	Linda Horne	Date
	Charles Kaake	Date

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Attorney Docket No. CYC .3001

U.S. Serial No.

#### **ASSIGNMENT**

WHEREAS, We, Kevin ELMORE, Vince HOESER, David HOM, Linda HORNE, Charles KAAKE, Kevin KELLY, Mark MABEL, Hal RODRIGUEZ, Paul STEPHENS, Vadim POKOTYLO, and Girlsh BAKHRU, hereinafter referred to as "ASSIGNORS", have invented certain new and useful improvements, as described and set forth in the below-identified application for United States Letters Patent:

Filed

Title of Invention: System and Method for Establishing Electronic Business Systems for Supporting Communications Services Commerce

***	
hereinafter referred to as "ASSIGNEE", is desired	1 3 <sup>rd</sup> Street, 2 <sup>rd</sup> Floor, San Francisco, California 94103, ous of acquiring the entire right, title, and interest in the Patent which may be granted with regard to the same; `
other good and valuable consideration, ASSIGNed presents does sell, assign, and transfer unto the assigns, all right, title, and interest in and to sell patent and any Letters Patent which may be he countries throughout the world, including any substitutions, conversions, reissues, revivals, pro-	CONCERN: Be it known that, for One Dollar (\$1.00) and ORS' have sold, assigned, and transferred, and by these he said ASSIGNEE, and ASSIGNEE'S successors and aid invention, said application for United 'States Letters treafter granted on the same in the United States and all of divisions, renewals, continuations in whole or part, blongation, or extensions thereof, said interest to be held clusively as it would have been held and enjoyed by said of been made, for all time.'
expense, cooperate with ASSIGNEE in the pro- verify, acknowledge, and deliver all such further the reissue thereof, and instruments of assignment as ASSIGNEE' may lawfully request, to obtain	out charge to said ASSIGNEE', but at ASSIGNEE'S secution of said application and/or applications, execute, papers, including applications for Letters Patent and for ent and transfer thereof, and will perform such other acts ain or maintain Letters Patent for said invention and vest title thereto in said ASSIGNEE', or ASSIGNEE'S
IN TESTIMONY WHEREOF, ASSIGNORS have date indicated below.	e hereunto signed their names to the assignment on the
Kevin Elmore	Date
Vince Hoeser	Date
david How	2 AVG- D?
David Hom	Date
Linda Horne	Date
Charles Kaake	Date

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Attorney Docket No. CYGE0001

#### **ASSIGNMENT**

WHEREAS, We, Kevin ELMORE, Vince HOESER, David HOM, Linda HORNE, Charles KAAKE, Kevin KELLY, Mark MABEL, Hal RODRIGUEZ, Paul STEPHENS, Vadim POKOTYLO, and Girish BAKHRU, hereinafter referred to as "ASSIGNORS", have invented certain new and useful improvements, as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: System and Method for Establishing Electronic Business Systems for Supporting Communications Services Commerce

U.S. Serial No.	Filed
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other good and valuable consideration, presents does sell, assign, and transfeassigns, all right, title, and interest in Patent and any Letters Patent which mocountries throughout the world, inclusubstitutions, conversions, reissues, rev	ASSIGNORS' have sold, assigned, and transferred, and by these or unto the said ASSIGNEE, and ASSIGNEE'S successors and and to said invention, said application for United 'States Letters ay be hereafter granted on the same in the United States and all ding any divisions, renewals, continuations in whole or part, vivals, prolongation, or extensions thereof, said interest to be held by and exclusively as it would have been held and enjoyed by said ransfer not been made, for all time.'
expense, cooperate with ASSIGNEE in verify, acknowledge, and deliver all suc the reissue thereof, and instruments of as ASSIGNEE' may lawfully request improvement in any and all countries, successors and assigns.	will, without charge to said ASSIGNEE', but at ASSIGNEE'S the prosecution of said application and/or applications, execute, the prosecution of said applications for Letters Patent and for assignment and transfer thereof, and will perform such other acts, to obtain or maintain Letters Patent for said invention and, and to vest title thereto in said ASSIGNEE', or ASSIGNEE'S DRS have hereunto signed their names to the assignment on the
Varia Flance	
Kevin Elmore	Date
Vince Hoeser	Date
David Horn	Date
Linda Horne	Date
Crah	Aur 12 2002
Charles Kaake	Date

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Attorney Docket No. CY .. .0001

Date , ,
8/9/62
Date
Date
Date
\$/25/2002
Date
Date 7/25/2002
Date
the year of, before me, the undersigned notary public d ASSIGNOR, known to me (or proved to me on 'the basis o son whose name is subscribed to the within instrument, and ne.
)
) ss. NOTARY

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Attorney Docket No. CY 20001

COUNTY OF \_\_

Mark Mabel

Mark Mabel

Date

Date

Paul Stephens

Date

Paul Stephens

Date

Valin Pokotylo

Girish Bakhru

Date

On this \_\_\_\_ day of \_\_\_\_, in the year of \_\_\_\_, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on 'the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

STATE OF \_\_\_\_\_ ) ss.

NOTARY

**PUBLIC** '

15136516981 12/20/2005 2:58 PAGE 010/022 Fax Server

Attorney Docket No. CY ... .0001

Kevin Kelly	Date
Mark Mabel	Date
Hal Rodriguez	Date
Paul Stephers	8/8/2002
Paul Stepheris	Date
Valen V. Robert	\$/25/2002
Vadin Pokotylo	Date
Guerl Baph	Date 7/25/2002
Girish Bakhru	Date
personally appeared the above-named A	year of, before me, the undersigned notary public SSIGNOR, known to me (or proved to me on 'the basis of whose name is subscribed to the within instrument, and
`	ss`
COUNTY OF)	NOTARY
	PUBLIC '

# Attorney Docket No. CYGE0001

Kevin Kelly	Date
Mark Mabel	Date
Hal Rodriguez	Date
Paul Stephens	Date
Velov. Pokotylo	\$/25/2002
Vadin Pokotylo	Date
Quel Baph	Date 7/25/2002
Girlsh Bakhru	Date
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COUNTY OF	) ss.  NOTARY  PUBLIC`

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Elmore et al. )	Attorney Docket No. CYGE0001
Serial No.	Group Art Unit: Unassigned
Filed: September 30, 2002	Examiner: Unassigned
For: System and Method for Establishing ) Electronic Business Systems for Supporting) Communications Services Commerce )	

**Assistant Commissioner for Patents** Washington, DC 20231

# **DECLARATION OF SHEILA LEUNIG**

Sir:

15136516981

- I, Sheila Leunig, declare the following:
- 1. I am Corporate Counsel for Cygent, Inc. I am responsible for obtaining inventor's signatures on all patent applications for the company.
- 2. Cygent, Inc. employed the inventor, Kevin O. Kelly, at the time the invention was made and reduced to practice. As a condition of his employment, Mr. Kelly was required to execute an employment agreement with Cygent, Inc. in which all inventions were assigned to Cygent, Inc. A copy of the executed Employee Agreement is attached. Accordingly, Cygent, Inc. has appropriate interest in pursuing this patent application.
- Diligent effort was made to reach to Mr. Kelly. In particular, emails (dated 3. September 6, 9, and 19, 2002) were sent to Mr. Kelly. A phone call (to 303-778-6300) was made on September 30, 2002 at 11 am PST in an attempt to reach Mr. Kelly. During this conversation, Mr. Kelly stated that he did not want to sign anything, now, or ever, in regards to the Cygent, Inc. patent application.

Attorney Docket No. CYGE0001

- 4. Mr. Kelly's last known address is 470 S. Ogden Street, Denver, Colorado 80209. A copy of the subject application has been sent to My. Kelly at this address with a cover letter asking Mr. Kelly to review same and to execute a declaration as an inventor of the subject matter claimed therein. As discussed above, Mr. Kelly has refused to cooperate with Cygent, Inc. in this regard.
- At the time the application was filed, Applicant had a good faith belief that the 5. inventor would be available and would therefore sign the Declaration and the Assignment. Subsequent attempts to communicate with the inventor and to obtain the inventor's signature have proved fruitless. Accordingly, Applicant has made a bona fide attempt to comply with the provisions of 37 CFR § 1.47.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: 10/1/02

15136516981

Attorney Docket No. CYGE0001

**RECORDED: 11/08/2003**