

**PATENT ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT												
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT												
<b>CONVEYING PARTY DATA</b>													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:70%;">Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>Kenneth R. Hackbarth</td> <td>09/26/2006</td> </tr> <tr> <td>Murray Jenson</td> <td>09/26/2006</td> </tr> <tr> <td>Sarah H. Kiefhaber</td> <td>09/26/2006</td> </tr> <tr> <td>Joylee Kohler</td> <td>09/26/2006</td> </tr> <tr> <td>Douglas W. Swartz</td> <td>09/28/2006</td> </tr> </tbody> </table>		Name	Execution Date	Kenneth R. Hackbarth	09/26/2006	Murray Jenson	09/26/2006	Sarah H. Kiefhaber	09/26/2006	Joylee Kohler	09/26/2006	Douglas W. Swartz	09/28/2006
Name	Execution Date												
Kenneth R. Hackbarth	09/26/2006												
Murray Jenson	09/26/2006												
Sarah H. Kiefhaber	09/26/2006												
Joylee Kohler	09/26/2006												
Douglas W. Swartz	09/28/2006												
<b>RECEIVING PARTY DATA</b>													
<b>Name:</b>	Avaya Technology LLC												
<b>Street Address:</b>	211 Mount Airy Road												
<b>City:</b>	Basking Ridge												
<b>State/Country:</b>	NEW JERSEY												
<b>Postal Code:</b>	07920												
<b>PROPERTY NUMBERS Total: 1</b>													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>11536456</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	11536456								
Property Type	Number												
Application Number:	11536456												
<b>CORRESPONDENCE DATA</b>													
<b>Fax Number:</b>	(303)863-0223												
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>													
<b>Phone:</b>	303-863-9700												
<b>Email:</b>	dswartz@sheridanross.com												
<b>Correspondent Name:</b>	Douglas W. Swartz												
<b>Address Line 1:</b>	1560 Broadway, Suite 1200												
<b>Address Line 4:</b>	Denver, COLORADO 80202												
<b>ATTORNEY DOCKET NUMBER:</b>	4366-353 DWS												
<b>NAME OF SUBMITTER:</b>	Douglas W. Swartz												

**CH \$40.00 11536456**

Total Attachments: 4

source=Executed\_Assignment#page1.tif

source=Executed\_Assignment#page2.tif

source=Executed\_Assignment#page3.tif

source=Executed\_Assignment#page4.tif

## ASSIGNMENT AND AGREEMENT


For value received, we, **Kenneth R. Hackbarth** of 11027 N. Balsam Street, Westminster, Colorado 80021, **Murray Jenson** of 1300 S. Holland, Lakewood, Colorado 80232, **Sarah H. Kiefhaber** of 1400 First Avenue, #B, Longmont, Colorado 80501, **Joylee Kohler** of 1585 Claire Lane, Northglenn, Colorado 80234, and **Douglas W. Swartz** of 2567 Taft Court, Lakewood, Colorado 80215, hereby sell, assign and transfer to Avaya Technology LLC, 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 **CONTACT CENTER PERFORMANCE PREDICTION** for which an application for Letters Patent of the United States has been prepared and filed on September 28, 2006, receiving Serial No. 11/536,456, 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 LLC 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 LLC 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 LLC 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 LLC in the United States and in all countries foreign to the United States, or to such nominees as Avaya Technology LLC may designate.

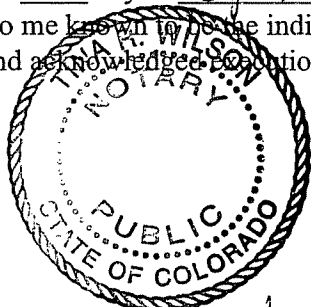
We agree that, when requested, we shall, without charge to Avaya Technology LLC but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

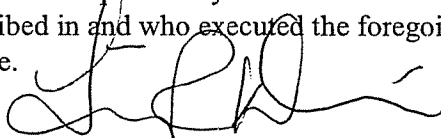
  
\_\_\_\_\_  
**Kenneth R. Hackbarth**

Date: 9/26/2006

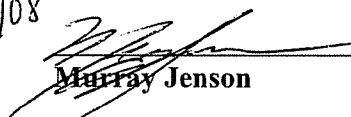
United States of America )  
State of Colorado ) ss.  
County of Adams )

On this 26<sup>th</sup> day of Sept., 2006, before me personally came **Kenneth R. Hackbarth**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



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

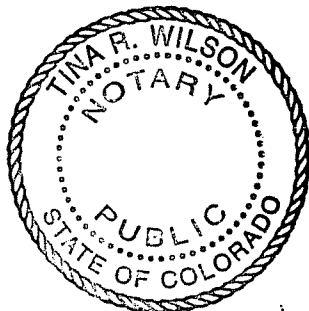
My Commission Expires 08/04/08

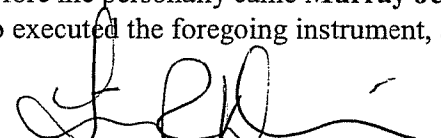
  
\_\_\_\_\_  
**Murray Jenson**

Date: 09/26/2006

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

On this 26<sup>th</sup> day of Sept., 2006, 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.



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

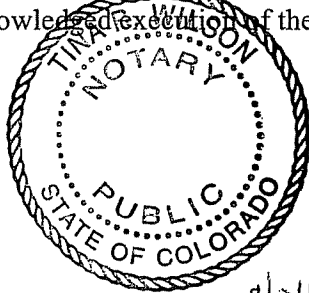
My Commission Expires 08/04/08

Sarah H. Kiefhaber  
Sarah H. Kiefhaber

Date: 26 Sept 2006

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

On this 26<sup>th</sup> day of Sept., 2006, before me personally came **Sarah H. Kiefhaber**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



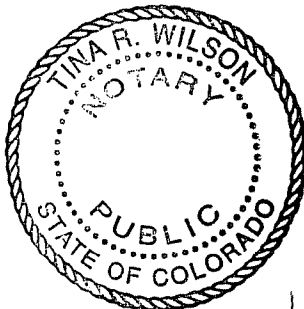
My Commission Expires 08/04/08

[Signature]  
Notary Public

Date: 9/26/2006

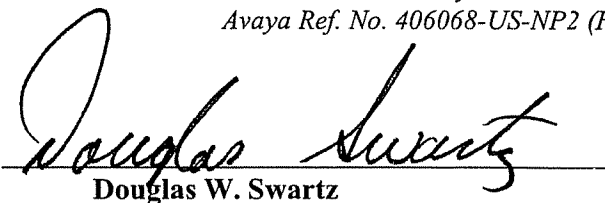
United States of America )  
State of Colorado ) ss.  
County of Adams )

On this 26<sup>th</sup> day of Sept., 2006, before me personally came **Joylee Kohler**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



My Commission Expires 08/04/08

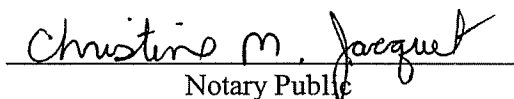
[Signature]  
Notary Public

  
\_\_\_\_\_  
Douglas W. Swartz

Date: Sept. 28, 2006

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

On this 28 day of September, 2006, before me personally came **Douglas W. Swartz**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

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

My Commission Expires  
12/01/2008

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