

PATENT ASSIGNMENT

Electronic Version v1.1

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| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | ASSIGNMENT |
| CONVEYING PARTY DATA | |
| Name | Execution Date |
| Kirk A. Beaty | 03/05/2008 |
| Norman Bobroff | 03/05/2008 |
| Andrzej Kochut | 03/05/2008 |
| RECEIVING PARTY DATA | |
| Name: | International Business Machines Corporation |
| Street Address: | New Orchard Road |
| City: | Armonk |
| State/Country: | NEW YORK |
| Postal Code: | 10504 |
| PROPERTY NUMBERS Total: 1 | |
| Property Type | Number |
| Application Number: | 12043260 |
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| ATTORNEY DOCKET NUMBER: | YOR920070239US2 |
| NAME OF SUBMITTER: | Paul J. Otterstedt |
| Total Attachments: 2 | |
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PATENT

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REEL: 020607 FRAME: 0950

(Rev 6-93)

PATENTS ONLY

Patent and

Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Kirk A. Beaty, Norman Bobroff and Andrzej Kochut

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: International Business Machines Corporation

Internal Address:

Street Address: New Orchard Road

City: Armonk State: NY ZIP: 10504

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: March 5, 2008, March 5, 2008 and March 5, 2008

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:

A. Patent Application No.(s) 12/043,260, Filed March 6, 2008

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Paul J. Otterstedt
Internal Address: Ryan, Mason & Lewis, LLP
Street Address: 1300 Post Road, Suite 205
City: Fairfield State: CT ZIP: 068246. Total number of applications and patents involved: 17. Total Fee (37 CFR 3.41)..... \$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number 50-0510

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9. Statement and 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.

Paul J. Otterstedt

Reg. No. 37,411



Signature

March 6, 2008

Date

Total number of pages including cover sheet, attachments, and document: 2

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YOR920070239US2

PATENT

REEL: 020607 FRAME: 0951

ASSIGNMENT

Docket No YOR920070239US2

INVENTOR
AND CITY

Whereas, we

(1) Kirk A. Beaty
County of Westchester

of Goldens Bridge,
and State of New York,

and (2) Norman Bobroff
County of Westchester

of Katonah,
and State of New York,

and (3) Andrzej Kochut
County of Westchester

of Elmsford,
and State of New York,

have invented certain improvements in

TITLE

DYNAMIC PLACEMENT OF VIRTUAL MACHINES FOR MANAGING VIOLATIONS OF SERVICE LEVEL AGREEMENTS (SLAs)

The above-named application claims the benefit of United States Provisional Patent Application Serial No. 60/838,151 filed on May 21, 2007 entitled "Dynamic Placement of Virtual Machines for Managing SLA Violations."

DATES THAT
INVENTORS
SIGNED THE
DECLARATION

and executed, respectively, a United States patent application therefor on

(1) March 5th, 2008, (2) March 5th, 2008,
(3) March 5th, 2008

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said 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 sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and in all foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said 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

Signed and sealed

Kirk A. Beaty
Kirk A. Beaty

on MARCH 5th, 2008

Norman Bobroff
Norman Bobroff

on MARCH 5, 2008

Andrzej Kochut
Andrzej Kochut

on MARCH 5th, 2008