

Form PTO-1595 (Rev. 09-08)  
OMB No. 0651-0027 (exp. 10/31/2008)

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

## RECORDATION FORM COVER SHEET 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)**

FilesX, Inc.  
199 Wells Avenue, Suite 107  
Newton, MA 02459

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

**3. Nature of conveyance/Execution Date(s):**

Execution Date(s) 10/1/2008

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

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

Name: International Business Machines Corporation

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

Street Address: New Orchard Road

City: Armonk

State: NY

Country: U.S. Zip: 10504

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

**4. Application or patent number(s):**

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

11/122,508

7,082,456

Additional numbers attached? ☐ Yes ☒ No

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

Name: International Business Machines Corporation

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

Street Address: 11400 Burnet Road

City: Austin

State: TX Zip: 78758

Phone Number: (512) 838-3628

Fax Number: (512) 823-1036

Email Address: \_\_\_\_\_

**6. Total number of applications and patents involved: 2**

**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. Payment Information**

Deposit Account Number 090447

Authorized User Name Laura Russo

**9. Signature:**



Signature

10/10/2008

Date

Matthew Talpis

Name of Person Signing

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

4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:

8-SEP-2008 07:19A FROM:

TO: 19147654080

P: 11/12

**PATENT ASSIGNMENT**

WHEREAS, FilesX, Inc., a Delaware corporation, having a place of business at 199 Wells Avenue, Suite 107, Newton, MA 02459 (referred to as "Company"), has ownership of the patent applications listed on Schedule A hereto, all patents which may issue therefrom, and all divisionals, reissues, substitutions, continuations, re-examinations and extensions thereof which may be pending in or granted by any patent office or forum throughout the world (referred to as the "Patents") and whereas Company owns all inventions disclosed and claimed in the Patents ("Inventions");

WHEREAS, International Business Machines Corporation, a New York corporation (referred to as "IBM"), desires to acquire the entire right, title and interest in and to the Inventions and Patents; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Company hereby transfers and assigns to IBM free and clear of all liens or other encumbrances, and IBM hereby accepts the transfer and assignment of, the entire right, title, and interest of Company in and to the Patents and Inventions, and all rights of priority resulting from the filing of the Patents; and Company hereby authorizes and requests the Commissioner of Patents and any other relevant authority to issue all patents related to the Patents to IBM as assignee of Company's entire right, title and interest therein.

Company also hereby transfers and assigns to IBM, and IBM hereby accepts the transfer and assignment of, any foreign rights to the Inventions and Patents, in all countries of the world, including the right to file applications, prosecute, and obtain patents under any treaty including the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, and of the European Patent Convention. Company agrees that this executed document is recordable evidence of such transfer and assignment and further agrees to perform at IBM's expense, upon reasonable notice, such lawful acts and to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such foreign patent rights.

Upon the written request of IBM, Company hereby further agrees that Company will sign all lawful papers, execute all divisional, continuation, reissue, re-examination, and substitute applications, make all lawful oaths, and provide reasonable assistance to aid IBM, its successors, assigns and nominees to facilitate the prosecution and maintenance of the Patents in all countries of the world.

This transfer and assignment is effective as of October 1, 2008.

IN WITNESS WHEREOF, the parties hereto have executed this Patent Assignment by its respective duly authorized officer in their respective corporate names.

**FilesX, Inc.****International Business Machines Corporation**

By



By



Title:

PRESIDENT

Title:

Director of Finance, IP

Date:

9/30/2008

Date:

9/30/2008

FilesX IP Purchase Agreement Version 1

6-SEP-2002 07:20A FROM:

TO:19147654080

P:12/12

Schedule A

ISSUED PATENTS						
Patent Number	Issue Date	Application No.	Filing Date	Title	Country	Owner
7,082,436	July 25, 2006	10/221,882	March 4, 2001 (September 16, 2002 - 371 date)	Accelerating responses to requests made by users to an internet	U.S.	FilesX, Inc.
GB 2 411 030 B	March 22, 2006	0510261.1	Nov. 20, 2003	Fast backup storage and fast recovery of data (FBSRD)	U.K.	FilesX, Inc.

PATENT APPLICATIONS				
Application No.	Filing Date	Title	Country	Owner
11/122,508	May 4, 2005	Fast backup storage and fast recovery of data (FBSRD)	U.S.	FilesX, Inc.
PCT/IL2007/000099 (also published as WO 2007/091237)	January 25, 2007	Long Term Backup on Disk	PCT	FilesX, Inc.
DE 103 93 771 T5	November 20, 2003	Schnelle Datensicherungspeicherung und schnelle Datenwiederherstellung (FBSRD)	Germany (DE)	FilesX, Inc.
EP 01910115.3	March 4, 2001	Accelerating Responses to Requests Made by Users to an Internet	EPO	FilesX, Inc.
EP 07706042.4	January 25, 2007	Long Term Backup on Disk	EPO	FilesX, Inc.
AU 2001237697 (37697/01)	March 4, 2001	Accelerating responses to requests made by users to an internet	Australia (AU)	FilesX, Inc.
AU 20033282361	November 20, 2003	Fast backup storage and fast recovery of data (fsard)	Australia (AU)	FilesX, Inc.

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PATENT

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REEL: 021658 FRAME: 0800