

PATENT ASSIGNMENT

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| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | ASSIGNMENT |
| CONVEYING PARTY DATA | |
| Name | Execution Date |
| Bruce Mansur | 08/21/2009 |
| Gary Salazar | 08/26/2009 |
| RECEIVING PARTY DATA | |
| Name: | BMC Software, Inc. |
| Street Address: | 2101 CityWest Blvd. |
| City: | Houston |
| State/Country: | TEXAS |
| Postal Code: | 77042 |
| PROPERTY NUMBERS Total: 1 | |
| Property Type | Number |
| Application Number: | 12550083 |
| CORRESPONDENCE DATA | |
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| Address Line 1: | 20333 SH 249 6th Floor |
| Address Line 4: | HOUSTON, TEXAS 77070 |
| ATTORNEY DOCKET NUMBER: | 149-0227US |
| NAME OF SUBMITTER: | Coe F. Miles |
| Total Attachments: 3 source=Assignment#page1.tif source=Assignment#page2.tif source=Assignment#page3.tif | |

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PATENT
REEL: 023166 FRAME: 0658

ELECTRONICALLY FILED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title : Database Quiesce Operations
Inventors : Bruce MANSUR and Gary SALAZAR
Docket # : 09-024-US (149-0227US) Customer # 29855

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which is hereby acknowledged, the undersigned do hereby:

SELL, ASSIGN AND TRANSFER to BMC SOFTWARE, Inc., (the "Assignee"), a corporation of Texas having a place of business at 2101 CityWest Blvd. Houston, Texas 77042, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent identified above, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

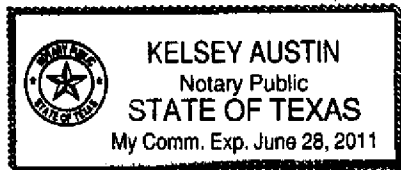
Executed on August 21, 2009 by Bruce Mansur
Date Bruce Mansur

Executed on _____ by _____
Date Gary Salazar

STATE OF Texas
County of Hays

BEFORE ME, this 21st day of August 2009 personally appeared the above-named individuals, to me known to be the persons who are described in and who executed the foregoing assignment instrument and acknowledged to me that they executed the same of their own free will for the purposes therein expressed.

SEAL



Kelsey Austin

Notary or Consular Officer

My Commission Expires: June 28, 2011

Atty Ref: 149-022705

Executed on _____ by _____
Date Bruce Mansur

Executed on 8/26/2009 by Gary R Salazar
Date Gary Salazar

STATE OF Texas
County of Harris

BEFORE ME, this 26 day of August 2009 personally appeared the above-named individuals, to me known to be the persons who are described in and who executed the foregoing assignment instrument and acknowledged to me that they executed the same of their own free will for the purposes therein expressed.

SEAL



Keri Ann Winter
Notary or Consular Officer
My Commission Expires: 8-6-12