

**PATENT ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT
NATURE OF CONVEYANCE:	Corrective Assignment to correct the Assignee previously recorded on Reel 018560 Frame 0477. Assignor(s) hereby confirms the Assignment.
<b>CONVEYING PARTY DATA</b>	
Name	Execution Date
Dennis Cox	11/16/2006
Michael Moriarty	11/16/2006
<b>RECEIVING PARTY DATA</b>	
Name:	BreakingPoint Systems, Inc.
Street Address:	3900 Capital of Texas Highway
Internal Address:	Suite 180
City:	Austin
State/Country:	TEXAS
Postal Code:	78746
<b>PROPERTY NUMBERS Total: 1</b>	
Property Type	Number
Application Number:	11560710
<b>CORRESPONDENCE DATA</b>	
Fax Number:	(512)322-8383
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	512.322.2601
Email:	apatent@bakerbotts.com
Correspondent Name:	Baker Botts L.L.P.
Address Line 1:	Brian Prewitt (077002.0103)
Address Line 2:	98 San Jacinto, Suite 1500
Address Line 4:	Austin, TEXAS 78701
ATTORNEY DOCKET NUMBER:	077002.0103
NAME OF SUBMITTER:	Alfonso E. Juarez
Total Attachments: 6	

**CH \$40.00 11560710**

**500967089**

**PATENT  
 REEL: 023257 FRAME: 0563**

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## ASSIGNMENT AND AGREEMENT

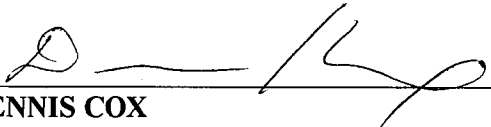
For good and valuable consideration, the receipt of which is hereby acknowledged, we, **DENNIS COX**, of Austin, Travis County, Texas, and **MICHAEL MORIARTY**, of Austin, Travis County, Texas, have sold, assigned and transferred, and do hereby sell, assign and transfer, unto **BreakingPoint Systems, Inc.**, a corporation of the State of Texas, having its principal office in Austin, Texas, United States of America, and its successors, assigns, and legal representatives, the entire right, title and interest for the United States of America in and to certain inventions relating to improvements in a **FOCUSED FUNCTION NETWORK PROCESSOR** (Docket No. 077002.0103), described, illustrated and claimed in an application for Letters Patent of the United States of America executed by us on the dates indicated by our signatures below, together with the entire right, title and interest in and to the application, and in and to Letters Patent which may be issued upon the application, and upon any division, extension, continuation or reissue thereof.

We hereby also sell, assign and transfer unto **BreakingPoint Systems, Inc.**, the entire right, title and interest in and to the invention and in and to applications for Letters Patent therefor in all countries foreign to the United States of America, including all rights under any and all international conventions and treaties in respect of the invention and the applications for Letters Patent in foreign countries, and we further authorize **BreakingPoint Systems, Inc.** to apply for Letters Patent in foreign countries directly in its own name, and to claim priority of the filing date of the application for Letters Patent of the United States of America under the provisions of any and all international conventions and treaties.

We hereby authorize and request the Commissioner of Patents of the United States of America to issue Letters Patent upon the aforesaid application, division, extension, continuation or reissue, to **BreakingPoint Systems, Inc.**, for the sole use and benefit of **BreakingPoint Systems, Inc.**, its successors, assigns and legal representatives, to the full end of the term for which Letters Patent may be granted, the same as they would have been held and enjoyed by us had this assignment not been made, and we hereby authorize and request the equivalent authorities in foreign countries to issue the patents of their respective countries to **BreakingPoint Systems, Inc.**

We agree that, when requested, we will, without charge to **BreakingPoint Systems, Inc.**, but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for the inventions in any and all countries and for vesting title thereto in **BreakingPoint Systems, Inc.**, its successors, assigns and legal representatives or nominees.

We covenant with **BreakingPoint Systems, Inc.**, its successors, assigns and legal representatives, that the interest and property hereby conveyed is free from all prior assignment, grant, mortgage, license or other encumbrance.

  
\_\_\_\_\_  
**DENNIS COX**

Date 11-16-2006

Signed at AUSTIN, TEXAS  
(City, State)

  
\_\_\_\_\_  
**MICHAEL MORIARTY**

Date 11-16-2006

Signed at Austin, TX  
(City, State)



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOVEMBER 29, 2006

PTAS

**\*500185445A\***

BAKER BOTTS L.L.P.  
JOSEPH P. LALLY (077002.0103)  
98 SAN JACINTO BLVD. STE. 1500  
AUSTIN, TX 78701-4039

\*500185445A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 11/29/2006

REEL/FRAME: 018560/0477  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 077002.0103

ASSIGNOR:

COX, DENNIS

DOC DATE: 11/16/2006

ASSIGNOR:

MORIARTY, MICHAEL

DOC DATE: 11/16/2006

ASSIGNEE: *Breaking Point*

~~BREAKING POINT SYSTEMS, INC.~~  
~~10535 BOYER BLVD.~~ *3900 Capital of Texas Highway*  
~~SUITE 300 180~~  
AUSTIN, TEXAS ~~78758~~  
*78746*

**DOCKETED**

DEC 04 2006

018560/0477 PAGE 2

SERIAL NUMBER: 11560710

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: FOCUSED FUNCTION NETWORK PROCESSOR

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

**PATENT ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

**11/29/2006**  
**500185445**

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT

**CONVEYING PARTY DATA**

Name	Execution Date
Dennis Cox	11/16/2006
Michael Moriarty	11/16/2006

**RECEIVING PARTY DATA**

<b>Name:</b>	Breaking Point Systems, Inc.
<b>Street Address:</b>	10535 Boyer Blvd.
<b>Internal Address:</b>	Suite 300
<b>City:</b>	Austin
<b>State/Country:</b>	TEXAS
<b>Postal Code:</b>	78758

**PROPERTY NUMBERS Total: 1**

Property Type	Number
Application Number:	11560710

**CORRESPONDENCE DATA**

Fax Number: (512)322-8383  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 5123222601  
 Email: apatent@bakerbotts.com  
 Correspondent Name: Baker Botts L.L.P.  
 Address Line 1: Joseph P. Lally (077002.0103)  
 Address Line 2: 98 San Jacinto Blvd.Ste.1500  
 Address Line 4: Austin, TEXAS 78701-4039

<b>ATTORNEY DOCKET NUMBER:</b>	077002.0103
<b>NAME OF SUBMITTER:</b>	Chris Ledel

Total Attachments: 2  
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CH \$40.00 11560710

