

# PATENT ASSIGNMENT

Electronic Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY AGREEMENT
CONVEYING PARTY DATA	
Name	Execution Date
VirtualMetrix, Inc.	02/04/2011
RECEIVING PARTY DATA	
Name:	Eric Johnson
Street Address:	P.O. Box 667
City:	Rancho Santa Fe
State/Country:	CALIFORNIA
Postal Code:	92067
PROPERTY NUMBERS Total: 4	
Property Type	Number
Application Number:	12197165
Application Number:	61341069
Application Number:	61341170
PCT Number:	US0874122
CORRESPONDENCE DATA	
Fax Number:	(619)235-0398
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
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Correspondent Name:	PROCOPIO, CORY, HARGREAVES & SAVITCH
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Address Line 2:	Suite 2200
Address Line 4:	San Diego, CALIFORNIA 92101
ATTORNEY DOCKET NUMBER:	115169-1
NAME OF SUBMITTER:	Richard E. Campbell

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**PATENT**  
**REEL: 025783 FRAME: 0670**

Total Attachments: 4

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## PATENT SECURITY ACKNOWLEDGEMENT

This Patent Security Acknowledgement ("Acknowledgement"), dated as of February 4, 2011, is executed by VirtualMetrix, Inc., a California corporation ("Grantor").

WHEREAS, Grantor is the owner of all right, title and interest in and to the patents and patent applications listed on the attached Schedule A, and all reissues, continuations, divisions, continuations-in-part, renewals, and extensions thereof (collectively, the "Patents");

WHEREAS, Grantor and Eric Johnson, as collateral agent for certain lenders, are parties to that certain Convertible Secured Promissory Note Purchase Agreement (the "Purchase Agreement"), dated as of the date hereof, pursuant to which Grantor has issued notes (the "Notes") to certain lenders granting to Mr. Johnson a continuing security interest in all the Grantor's tangible and intangible property, including the Patents on behalf of such lenders; and

WHEREAS, the Grantor is executing this Acknowledgement for the purpose of confirming the grant of a continuing security interest in the Patents from Grantor to Mr. Johnson on behalf of such lenders for purposes of recording in the United States Patent and Trademark Office.

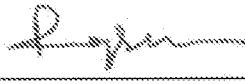
NOW THEREFORE, in order to secure the payment and performance in full of all of Grantor's Obligations (as defined in the Notes), Grantor hereby acknowledges it has granted to Mr. Johnson a continuing security interest in the Patents, including all Proceeds (as defined in the Note) now or hereafter due and/or payable under or with respect thereto.

Grantor hereby acknowledges and affirms that the rights and remedies of Mr. Johnson with respect to the security interest in the Patents granted hereby are fully set forth in the Notes.

*[Remainder of this page intentionally left blank]*

IN WITNESS WHEREOF, the Grantor has executed this Acknowledgement as of the date first above written.

VIRTUALMETRIX, INC.

By:   
Name: Val Popescu  
Title: President

STATE OF )  
 ) ss:  
COUNTY OF )

On this \_\_\_\_ day of February, 2011, before me personally appeared \_\_\_\_\_, to me personally known, who, being duly sworn, did say that s/he is the \_\_\_\_\_ of VirtualMetrix, Inc., and that s/he duly executed the foregoing instrument and that said individual acknowledged said instrument to be the free act and deed of said corporation.

\_\_\_\_\_

STATE OF )  
 ) ss:  
COUNTY OF )

On this \_\_\_\_ day of February, 2011, before me personally appeared \_\_\_\_\_, to me personally known, who, being duly sworn, did say that s/he is the \_\_\_\_\_ of \_\_\_\_\_ and that s/he duly executed the foregoing instrument and that said individual acknowledged said instrument to be the free act and deed of said \_\_\_\_\_.

[SIGNATURE PAGE TO PATENT SECURITY ACKNOWLEDGEMENT]

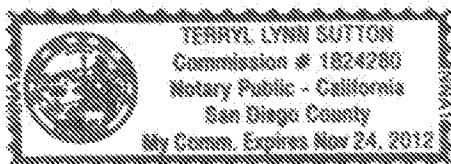
# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN DIEGO

On FEBRUARY 11, 2011 before me, TERRYL LYNN SUTTON, NOTARY PUBLIC

personally appeared VAL POPESCU



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Terryl Lynn Sutton  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: PATENT SECURITY ACKNOWLEDGMENT

Document Date: FEBRUARY 4, 2011 Number of Pages: 2

Signer(s) Other Than Named Above: NONE

### Capacity(ies) Claimed by Signer(s)

Signer's Name: VAL POPESCU

☒ Individual

☒ Corporate Officer — Title(s): PRESIDENT

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing:

VIRTUALMETRIX, INC.

Signer's Name: \_\_\_\_\_

☐ Individual

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

## SCHEDULE A

### Patents and Patent Applications:

#### U.S. PATENT APPLICATIONS AND PATENTS

Counsel File No.	Category	Title	App. No./ Filing Date	Patent No./ Issue Date	Status
115169-001UTL		Method and Apparatus for Fine Grain Performance Management of Computer Systems	12/197,165, filed August 22, 2008	NA	
		Method and Apparatus for Fine Grain Performance Management of Computer Systems	61/341,069	NA	
		Method and Apparatus for the Control of Processor Cache Memory Occupancy	61/341,170	NA	
		U.S. Provisional Patent Application	61/341,069, filed March 26, 2010		
		U.S. Provisional Patent Application	61/341,170, filed March 26, 2010		

#### INTERNATIONAL AND FOREIGN PATENT APPLICATIONS AND PATENTS

Counsel File No./ Jurisdiction	Category	Title/Inventor(s)	App. No/ Filing Date.	Pub. No./Date	Status
115169-001UTL		Method and Apparatus for Fine Grain Performance Management of Computer Systems	PCT/US2008/ 74122, filed August 22, 2008		