

PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
CONVEYING PARTY DATA											
<table border="1"> <thead> <tr> <th>Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>James L. Whisenant</td> <td>01/19/2012</td> </tr> <tr> <td>James T. Rabbitt</td> <td>01/19/2012</td> </tr> <tr> <td>William J. Pothoff</td> <td>01/19/2012</td> </tr> <tr> <td>Thomas G. Price</td> <td>01/19/2012</td> </tr> </tbody> </table>		Name	Execution Date	James L. Whisenant	01/19/2012	James T. Rabbitt	01/19/2012	William J. Pothoff	01/19/2012	Thomas G. Price	01/19/2012
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RECEIVING PARTY DATA											
Name:	BMC Software, Inc.										
Street Address:	2101 CityWest Blvd										
City:	Houston										
State/Country:	TEXAS										
Postal Code:	77042										
PROPERTY NUMBERS Total: 1											
<table border="1"> <thead> <tr> <th>Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>13340302</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	13340302						
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Application Number:	13340302										
CORRESPONDENCE DATA											
Fax Number:	(612)332-7352										
Phone:	202-470-6450										
Email:	rbailey@cpaglobal.com										
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>											
Correspondent Name:	Brake Hughes Bellermann LLP										
Address Line 1:	c/o CPA Global										
Address Line 2:	P.O. Box 52050										
Address Line 4:	Minneapolis, MINNESOTA 55402										
ATTORNEY DOCKET NUMBER:	0081-250001										
NAME OF SUBMITTER:	R. Edward Brake										
Total Attachments: 2 source=0081-250001_ASGN#page1.tif source=0081-250001_ASGN#page2.tif											

OP \$40.00 13340302

ASSIGNMENT

WHEREAS, We, James L. Whisenant, residing at 8108 Richard King Trail, Austin, TX 78749, and James T. Rabbitt, residing at 11705 Lemens Sugar Cove, Austin, TX 78750, and William J. Pothoff, residing at 6206 Colina Lane, Austin, TX 78759, and Thomas G. Price, residing at 2007 Manana St., Austin, TX 78730, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States entitled DATABASE RECOVERY PROGRESS REPORT;

WHEREAS, We hereby authorize and request our attorneys, as listed on the Combined Declaration and Power of Attorney, at Brake Hughes Bellermand LLP, to insert here in parentheses (Ser. No. 13/340,302; Filing Date: December 29, 2011) the filing date and application number of said application when known.


AND WHEREAS, BMC Software, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 2101 CityWest Blvd., Houston, TX 77042 (hereinafter "Assignee"), is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefore;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted there from, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted there from; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

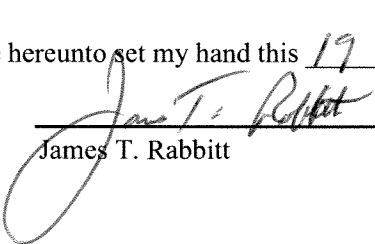
AND, furthermore, we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 19 day of JANUARY, 2012.



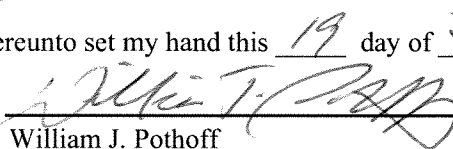
James L. Whisenant

IN TESTIMONY WHEREOF, I have hereunto set my hand this 19 day of January, 2012.



James T. Rabbitt

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William J. Pothoff

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Thomas G. Price