

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Availigent, Inc.	04/30/2008
RECEIVING PARTY DATA	
Name:	Open Invention Network, LLC
Street Address:	4 Trinity Pass
City:	Pound Ridge
State/Country:	NEW YORK
Postal Code:	10576
PROPERTY NUMBERS Total: 4	
Property Type	Number
Patent Number:	8108722
Application Number:	13333456
Application Number:	13462997
Application Number:	13356223
CORRESPONDENCE DATA	
Fax Number:	(214)200-0853
Phone:	2146515000
Email:	theresa.oconnor@haynesboone.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:	Haynes and Boone, LLP
Address Line 1:	2323 Victory Avenue
Address Line 2:	Suite 700
Address Line 4:	Dallas, TEXAS 75219
ATTORNEY DOCKET NUMBER:	48731.3 - AI TO OIN
NAME OF SUBMITTER:	J. Andrew Lowes

OP \$160.00 8108722

Total Attachments: 5

source=Availigent_Inc_to_Open_Invention_Network_LLC#page1.tif

source=Availigent_Inc_to_Open_Invention_Network_LLC#page2.tif

source=Availigent_Inc_to_Open_Invention_Network_LLC#page3.tif

source=Availigent_Inc_to_Open_Invention_Network_LLC#page4.tif

source=Availigent_Inc_to_Open_Invention_Network_LLC#page5.tif

EXHIBIT "B"

INTELLECTUAL PROPERTY ASSIGNMENT

WHEREAS, Avalligent, Inc., a Delaware corporation having a mailing address of 2290 North 1st Street, Suite 304, San Jose, California 95131 (hereinafter referred to as the "Assignor"), owns the entire right, title and interest in and to the following patents and patent applications:

PATENT	DATE OF ISSUANCE	INVENTOR(S)
US Patent 6,360,363	March 19, 2003	Louise E. Moser, Peter M. Melliar-Smith
US Patent 6,922,792	July 26, 2005	Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,228,482	June 5, 2007	Louise E. Moser, Peter M. Melliar-Smith
US Patent 6,928,577	August 9, 2005	Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,185,236	February 27, 2007	Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,251,534	June 12, 2007	Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,306,964	April 17, 2007	Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,305,583	December 4, 2007	Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,334,014	February 19, 2008	Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,251,745	July 31, 2007	Rupprecht Koch, Sanjay Hartikar, Louise E. Moser, Peter M. Melliar-Smith
US Patent 7,293,200	November 6, 2007	Michael O. Neary, Ashwani Wason, Shvethina Gairan, Fabricio Pisval

<u>PATENT APPLICATION</u>	<u>DATE OF FILING</u>
11/213,878	August 25, 2005
11/741,535	April 27, 2007

WHEREAS, Open Invention Network LLC, a Delaware limited liability company having a mailing address of 4 Trinity Pass, Pound Ridge, New York 10576 (hereinafter referred to as the "Assignee") is desirous of acquiring the entire right, title, and interest in and to the aforesaid patents and patent applications, and to all related intellectual property; and

WHEREAS, Assignor and Assignee are desirous of confirming the assignment for purposes of filing the same with the United States Patent and Trademark Office and other appropriate governmental offices.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby sells, transfers, assigns and delivers unto Assignee, effective as of the date hereof, the entire right, title and interest in and to the aforesaid patents and patent applications, and to all issues and reexaminations thereof, as well as the underlying invention(s) and all improvements therein, and all continuations, continuations-in-part, and further or other proceedings of any kind whatsoever embodied in, related to or associated with the aforesaid patents and patent applications. Assignor also sells, transfers, assigns and delivers unto Assignee all rights to damages or profits, due or accrued, arising out of past infringement of the aforesaid patents and patent applications and the right to sue for and recover the same in Assignee's own name. Assignor hereby agrees to cooperate with Assignee hereunder in all such legal actions by Assignee but at Assignee's expense.

IN WITNESS WHEREOF, this Assignment has been executed by on behalf of Assignor by its duly authorized officer as of the date hereof.

AVAILICENT, INC.

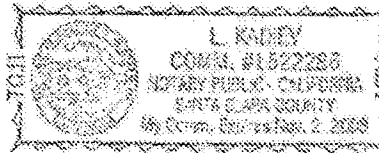
By: William K. Michael
(W. Michael)

STATE OF California

COUNTY OF San Diego SS:

On the 30th day of April, 2008 before me personally came Harold K. Michael ~~in person~~ the person who executed the foregoing instrument and who being duly sworn by me did depose and say that he executed the foregoing instrument, that he had the ability and authority to sign the same, and that he acknowledged that he executed the same as his free act and deed for the uses and purposes therein mentioned.

[Signature]
Notary Public
[Signature]



Delaware

PAGE 1

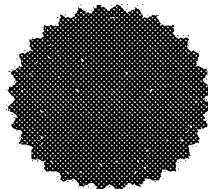
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "ETERNAL SYSTEMS, INC.", CHANGING ITS NAME FROM "ETERNAL SYSTEMS, INC." TO "AVAILIGENT, INC.", FILED IN THIS OFFICE ON THE FIFTEENTH DAY OF DECEMBER, A.D. 2005, AT 6:48 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

3743624 8100

051027885



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4380419

DATE: 12-16-05

CERTIFICATE OF AMENDMENT OF THE
SECOND RESTATED CERTIFICATE OF INCORPORATION
OF
ETERNAL SYSTEMS, INC.

Harold K. "Bud" Michael hereby certifies that:

1. He is the duly elected and acting President and Chief Executive Officer of Eternal Systems, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation").

2. The Second Restated Certificate of Incorporation of the Corporation (the "Restated Certificate") was filed with the Secretary of State of the State of Delaware on October 25, 2005.


3. Pursuant to Section 242 of the Delaware General Corporation Law, this Certificate of Amendment of the Second Restated Certificate of Incorporation amends certain provisions of the Restated Certificate.

4. The terms and provisions of this Certificate of Amendment of the Second Restated Certificate of Incorporation have been duly approved by written consent of the required number of shares of outstanding stock of the Corporation pursuant to Subsection 228(a) of the DGCL.

5. Article I of the Restated Certificate of the Corporation is hereby amended in read in its entirety as follows:

"FIRST: The name of this corporation is Availigent, Inc. (the "Corporation")."

IN WITNESS WHEREOF, this Certificate of Amendment of the Second Restated Certificate of Incorporation, which amends certain provisions of the Second Restated Certificate of Incorporation of the Corporation, having been duly adopted in accordance with Section 242 of the Delaware General Corporation Law, has been duly executed by its President and Chief Executive Officer this 15th day of December, 2005.



Harold K. "Bud" Michael,
President and Chief Executive Officer

C:\WORK\HR\ALU\2005\07284785_1.DCL (1/15)