#### PATENT ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

#### **CONVEYING PARTY DATA**

Name	Execution Date
Alexander Maromaty	03/20/2012

# RECEIVING PARTY DATA

Name:	CA, Inc.
Street Address:	One CA Plaza
City:	Islandia
State/Country: NEW YORK	
Postal Code:	11749

## PROPERTY NUMBERS Total: 1

Property Type	Number
Application Number:	12364803

### **CORRESPONDENCE DATA**

**Fax Number**: 9198541401

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 919-854-1400

Email: kcarlos@myersbigel.com

Correspondent Name: Myers Bigel Sibley & Sajovec, P.A./ksc

Address Line 1: 4140 Parklake Avenue

Address Line 2: Suite 600

Address Line 4: Raleigh, NORTH CAROLINA 27612

ATTORNEY DOCKET NUMBER:	1100-080064
NAME OF SUBMITTER:	Kirsten S. Carlos

Total Attachments: 12

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February 29, 2012 VIA CERTIFIED MAIL

400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530 516-742-4343 FAX: 516-742-4366 E-MAIL: INTPROP@SSMP.COM WWW.SSMP.COM

Mr. Alexander Maromaty 4553 Glencoe Ave, Suite 100 Marina Del Rey, CA 90292

FRANK S. DIGIGLIO PAUL J. ESATTO, JR. JOHN S. SENSNY MARK J. COHEN EDWARD W. GROLZ STEVEN FISCHMAN PETER I. BERNSTEIN THOMAS SPINELLI XIAOCHUN ZHU EUNHEE PARK CHAD E. ZIEGLER RICHARD L. CATANIA STEVEN I. WALLACH

Re: Alexander Maromaty

KEITH A. WELTSCH

US Patent Application Serial No. 12/364,803 Title: A MULTI-THREADED METHOD AND

FROM THE WINDOWS™ PLATFORM

DREW BERWEGER WILLIAM CHUNG HARRY A. HILD BYEONGJU PARK MICHAEL A. PETROCELLIA LYNN M. RUSSO MATTHEW B. TROPPER

SYSTEM FOR AUTOMATED REMOTE SUBMISSION OF JOBS TO MAINFRAME AND UNIX SYSTEMS

CA Ref.: 20080064 Our Ref.: 22706

KATHERINE R. VIEYRA® SETH M. WEINFELD PATENT AGENTS LESLIE S. SZIVOS, PH.D.

Dear Mr. Maromaty,

EDMUND GUTIERREZ, PH.D. HESONG CAO-NANAE TERAZAKI\*

This letter is with respect to your previous employment by Pansophic Systems and CA, Inc. until September 30, 2008.

BARRY M. KRIVISKY ALLEN R. MORGANSTERN STEPHEN A. YOUNG

COUNSEL

TECHNICAL CONSULTANTS DOMINICK A. TUCCIO

As a former employee of CA, Inc., you are obligated to perform certain duties regarding intellectual property matters commenced during your tenure at Pansophic/CA. In particular, you are obligated to review the patent application filed for your invention for "A MULTI-THREADED METHOD AND SYSTEM FOR AUTOMATED REMOTE SUBMISSION OF JOBS TO MAINFRAME AND UNIX SYSTEMS FROM THE WINDOWS™ PLATFORM". In addition to reviewing the application, you are obligated to execute a Declaration and Assignment for this patent application.

RETIRED JOHN F. SCULLY STEPHEN D. MURPHY

> We enclose herein paper copies of the application as filed, the declaration and the assignment. The Declaration and Assignment documents must be executed by you and returned to us so that we may file these documents with the United States Patent and Trademark Office.

ANTHONY C. SCOTT 1931-1994 LEOPOLD PRESSER 1927-2011

> Kindly review the application and review, sign and date the Declaration and Assignment. Once these documents have been executed, please return them to us in the enclosed self-addressed, stamped envelope (to ensure that we retain all original signature pages).

OH BAR ONLY CT BAR ONLY \*LIMITED RECOGNITION

Thank you in advance for your assistance with this matter and please do not hesitate to contact us if you require additional information or have any questions.

Sincerely,

Katherine R. Vieyra

KRV:ch Enc.

REEL: 029381 FRAME: 0810

BEIKRN

To: Scully, Scott, Murphy & Presser PC Intellectual Property Law 400 Garden City Plaza, Suite 300 Garden City, NY 11530-3319

2012 MAR 26 P 2: 21

From: Alexander Maromaty 115 Christina Landing Drive

Apt 709

Wilmington, DE, 19801

Ref: US Patent Application No. 12/36804

CA Ref: 20080064

Ref: 22706

I received your letter requesting that I review and sign the "Declaration and Assignment for this patent application". I hereby decline for the following reasons.

- 1. Computer Associates docked me for three (3) days of pay when I terminated my employment with them because I had requested three (3) sick days before the termination of my employment. I find this unjustified as any employee can request sick time at any point during their employment.
- 2. Computer Associates removed the sick days from the vacation days that I was entitled to be paid for when I terminated my employment with the company. I find this to be a "vindictive" attitude on behalf of Computer Associates based on the fact, that I had been for the most part an "exemplary" employee during my tenure with Computer Associates.
- 3. Since I have created this "Multi-Threaded Method and System for the Automated Remote Submission of Jobs to Mainframe and Unix Systems from the Windows™ Platform" and I received no compensation from Computer Associates as would be given to any employee of Computer Associates for creating such patent application, I hereby decline.
- 4. If Computer Associates provides me with the retroactive compensation that is due me for the sick days (3) that they did not pay me for and Computer Associates provides me with the stipend that they would give any other employee for the creation of such patent application, I will sign and return to you the completed assignment.

5. If Computer Associates does not provide me with the requested compensation, I hereby decline to assign any rights to Computer Associates and I will seek litigation against Computer Associates for damages done to me while I was employed.

20-MAR-2012

Alexander Maromaty.

20-Mar-2012.

# CA, INC. AND PANSOPHIC SYSTEMS, INC.

# LEGAL MEMORANDUM OF PROOF OF PROPRIETARY INTEREST

I, Jay H. Diamond, hereby certify that:

- I am the duly elected Secretary of Pansophic Systems, Inc., a corporation duly organized and existing under the laws of the State of Illinois, and have authority from Pansophic Systems, Inc. to make the certifications herein;
- 2. On October 15, 1991, Computer Associates International, Inc. acquired all of the outstanding shares of Pansophic Systems, Inc. and, thereby, acquired all patent rights of Pansophic Systems, Inc.;
- 3. On January 30, 2006, Computer Associates International, Inc. changed its name to CA, Inc. by filing a Certificate of Ownership and Merger Subsidiary into Parent, a photocopy of which was provided as Exhibit E to the Request for Reconsideration of Petition Under 37 C.F.R. 1.47(b) for U.S. Application No. 12/364,803 filed with the U.S. Patent Office on April 19, 2012;
- 4. I am the Senior Vice President and Chief Counsel for CA, Inc., and have authority from CA, Inc. to make the certifications herein;
- 5. I am familiar with the laws of the State of Illinois under which Pansophic Systems, Inc., exists and the facts submitted with the Petition Under 37 C.F.R. 1.47(b) (August 20, 2009) and the Request for Reconsideration of Petition Under 37 C.F.R. 1.47(b) (April 19, 2012) for U.S. Application No. 12/364,803; and
- 6. It is my belief that a state or federal court of competent jurisdiction in Illinois would by the weight of authority in that jurisdiction award title of U.S. Patent Application No. 12/364,803 to CA, Inc. (the 37 CFR 1.47(b) applicant).

IN WITNESS WHEREOF, I have hereunto set my hand as of this 24 day of 3 da

Jay H. Diamond



PAGE 7

# 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 MERGER, WHICH MERGES:

"CA, INC.", A DELAWARE CORPORATION,

WITH AND INTO "COMPUTER ASSOCIATES INTERNATIONAL, INC."

UNDER THE NAME OF "CA, INC.", A CORPORATION ORGANIZED AND

EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED

AND FILED IN THIS OFFICE THE THIRTIETH DAY OF JANUARY, A.D.

2006, AT 6:21 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF FEBRUARY, A.D. 2006, AT 12 O'CLOCK P.M.

0799956 8100M 060448501



Harriet Smith Hindson
Harriet Smith Windson, Secretary of States - C.

DATE: 05-11-06

State of Delaware Secretary of State Division of Corporations Delivered 06:26 FM 01/30/2006 FILED 06:21 PM 01/30/2006 SRV 060088686 - 0799956 FILE

#### STATE OF DELAWARE

# CERTIFICATE OF OWNERSHIP AND MERGER SUBSIDIARY INTO PARENT

Certificate of Ownership

MERGING

CA, INC.
(a Delaware corporation)

With and Into

COMPUTER ASSOCIATES INTERNATIONAL, INC. (a Delaware corporation)

Pursuant to Section 253 of the General Corporation Law of the State of Delaware

Computer Associates International, Inc., a Delaware corporation ("Parent"), does hereby certify as follows:

- Parent is incorporated pursuant to the General Corporation Law of the State of Delaware ("DGCL") and its Certificate of Incorporation was filed in the Office of the Secretary of State of the State of Delaware on the 26<sup>th</sup> day of March 1974. Parent was incorporated under the name Computer Associates Incorporated. CA, Inc. ("Subsidiary") is incorporated pursuant to the DGCL and its Certificate of Incorporation was filed in the Office of the Secretary of State of the State of Delaware on November 14, 2005.
- 2. Parent owns all of the outstanding shares of capital stock of Subsidiary.
- 3. The Board of Directors of Parent, by a resolution (the "Resolution") duly adopted at a meeting held on the 23<sup>rd</sup> day of January 2006, determined (i) to merge Subsidiary with and into Parent pursuant to Section 253 of the DGCL (the "Merger") and (ii), effective upon the Merger, to change Parent's corporate name to "CA, Inc." A certified copy of the Resolution is attached to, and incorporated into, this Certificate of Ownership and Merger as Exhibit A.
- 4. Parent shall be the surviving corporation of the Merger.
- 5. At the effective time of the Merger, by virtue of the Merger and without any action on the part of Parent, each issued and outstanding share of Subsidiary shall be cancelled and retired.

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NY 12528:232978.6

6. The Restated Certificate of Incorporation of Parent as in effect immediately prior to the effective time of the Merger shall be the certificate of incorporation of the surviving corporation, except that Article First thereof shall be amended to read in its entirety as follows:

"FIRST: The name of the corporation (hereinafter called the "corporation") is CA, Inc."

7. Pursuant to Section 103(d) of the DGCL, the effective time of the Certificate of Ownership and Merger, and the time when the Merger therein provided for, shall become effective shall be 12:00 PM (Eastern Daylight Savings Time) on February 1, 2006.

IN WITNESS WHEREOF, this Certificate of Ownership and Merger is hereby executed on behalf of Computer Associates International, Inc. as of January 30, 2006.

COMPUTER ASSOCIATES INTERNATIONAL, INC.

Βv

Name: Kenneth V. Handal

Title: Executive Vice President, General Counsel and Corporate Secretary

PATENT

REEL: 029381 FRAME: 0815

### COMPUTER ASSOCIATES INTERNATIONAL, INC. ASSISTANT SECRETARY'S CERTIFICATE

The undersigned certifies that he is the duly qualified, appointed and acting Assistant Secretary of Computer Associates International, Inc., a Delaware corporation, and:

He further certifies that at a meeting of the Board of Directors, held on January 23, 2006, the following resolutions were adopted and that such resolutions have not since been amended or rescinded and are in full force and effect as of the date hereof:

WHEREAS, Computer Associates International, Inc., a Delaware corporation (the "Company"), owns all of the outstanding shares of the capital stock of CA, Inc., a Delaware corporation (the "Subsidiary"); and

WHEREAS, the Board of Directors of the Company has deemed it advisable that the Subsidiary be merged with and into the Company pursuant to Section 253 of the General Corporation Law of the State of Delaware (the "DGCL");

## NOW, THEREFORE, BE IT AND IT HEREBY IS:

RESOLVED, that, effective upon the filing of (or at such subsequent time as may be specified in) the Certificate of Ownership and Merger filed in respect thereof (the "Effective Time"), the Subsidiary shall be merged with and into the Company with the Company being the surviving corporation (the "Merger"); and

FURTHER RESOLVED, that it is intended that the Merger qualify as a tax-free reorganization under Section 368(a)(1)(F) of the Internal Revenue Code of 1986, as amended, and that these resolutions constitute a plan of reorganization within the meaning of Section 368; and

FURTHER RESOLVED, that, at any time prior to the Effective Time, the Merger may be amended, modified, terminated or abandoned by action of the Board of Directors of the Company; and

FURTHER RESOLVED, that pursuant to Section 259 of the DGCL, at the Effective Time, the separate existence of the Subsidiary shall cease, and the Company shall continue its existence as the surviving corporation of the Merger; and

FURTHER RESOLVED, that by virtue of the Merger and without any action on the part of the holder thereof, each then outstanding or treasury share of capital stock of the Company shall remain unchanged and continue to remain outstanding or held in treasury, respectively, as one share of capital stock of the Company, held by the person who was the holder of such share of capital stock of the Company immediately prior to the Merger; and

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FURTHER RESOLVED, that by virtue of the Merger and without any action on the part of the holder thereof, each then outstanding share of common stock of the Subsidiary shall be cancelled and no consideration shall be issued in respect thereof; and

FURTHER RESOLVED, that, in connection with the Merger, the Board of Directors deems it desirable, advisable and in the best interest of the Company and its stockholders to change its corporate name to "CA, Inc."; and

FURTHER RESOLVED, that, at the Effective Time, Article First of the Restated Certificate of Incorporation of the Company shall be amended to read in its entirety as follows:

"FIRST: The name of the corporation (hereinafter called the "corporation") is CA, INC."

FURTHER RESOLVED, that each officer of the Company is authorized to make and execute a Certificate of Ownership and Merger setting forth a copy of these resolutions, and the date of adoption thereof, in the discretion of such officer to specify therein an Effective Time subsequent to the filing thereof and to file the same in the office of the Secretary of State of the State of Delaware; and

FURTHER RESOLVED, that in connection with changing the Company's name, each officer of the Company is authorized, in the name and on behalf of the Company, to enter into any agreements with the office of the Secretary of State of the State of Delaware, and to make and execute such additional certificates and to file the same in the office of the Secretary of State of the State of Delaware, in each case as may, in his or her judgment, he required or advisable; and

FURTHER RESOLVED, that in order for the Company to comply with all applicable regulations and requirements of federal, state, local and foreign governmental agencies and exchanges, each officer of the Company is authorized, in the name and on behalf of the Company, to prepare, execute and file or cause to be filed all reports, statements, documents, undertakings, commitments and information with any exchange or governmental agencies as may, in his or her judgment, be required or advisable in connection with the Merger or the Company's name change; and

FURTHER RESOLVED, that, after the Effective Time, each officer of the Company is hereby authorized, in the name and on behalf of the Company, to apply to, and to take such steps and to execute such documents as may be necessary or desirable to, change the name in which the Company is qualified to do business, in such jurisdictions as it is qualified, to reflect the change in the Company's name; and

FURTHER RESOLVED, that, after the Effective Time, each officer of the Company is hereby authorized, in the name and on behalf of the Company, to apply to, and to take such steps and to execute such documents as may be necessary or desirable

to, use any alternate name, fictitious name, assumed name or other name in such jurisdictions as the Company is qualified, if such officer determines it is necessary or desirable for the Company to use an alternate name, fictitious name, assumed name or other name; and

FURTHER RESOLVED, that, after the Effective Time, each officer of the Company is hereby authorized, in the name and on behalf of the Company, to prepare, execute and file a listing application or supplemental listing application, and such other documents, and to take such steps, as may be necessary or desirable, with the New York Stock Exchange, the Depositary Trust Company, the Company's transfer agent and/or Standard & Poor's to reflect the change in the Company's name and the CUSIP numbers of the Company's securities; and

FURTHER RESOLVED, that in connection with changing the Company's name, each officer of the Company is authorized, in the name and on behalf of the Company, to amend or modify the Company's stock certificates, to change the CUSIP numbers of the Company's securities, to create a new corporate seal, to notify the Company's stockholders and to give such notices to, and obtain such consents from, third parties, in each case as may, in his or her judgment, be required or advisable; and

FURTHER RESOLVED, that, effective as of the Effective Time, each of the following benefits plans and programs are hereby amended to replace each reference to "Computer Associates" or "Computer Associates International, Inc." with "CA" or "CA, Inc.", as applicable, to reflect the change in the Company's name:

- Computer Associates Savings Harvest Plan, as amended
- Computer Associates International, Inc. 2002 Incentive Plan, as amended and restated
- Computer Associates International, Inc. 1991 Stock Incentive Plan, as amended
- Computer Associates International, Inc. 2003 Compensation Plan for Non-Employee Directors
- Computer Associates International, Inc. 2002 Compensation Plan for Non-Employee Directors
- Computer Associates International, Inc. Year 2000 Employee Stock Purchase Plan

FURTHER RESOLVED, that each officer of the Company is hereby authorized, in the name and on behalf of the Company, to sign, seal, execute, acknowledge, file, deliver and record all papers, instruments, agreements, documents and certificate, and to pay all charges, fees, taxes and other expenses, from time to time

necessary, desirable or appropriate to be done, signed, sealed, executed, acknowledged, filed, delivered, recorded or paid, under any applicable law, or otherwise, as may be necessary or desirable to effectuate the immediately preceding resolution and to make any other amendments or modifications to such identified plans and any other benefits plans or programs (including registration statements, trust agreements and any other related documents) maintained or sponsored by the Company or any of its affiliates to reflect the change in the Company's name; and

FURTHER RESOLVED, that, after the Effective Time, each assistant secretary of the Company is hereby authorized, in the name and on behalf of the Company, to sign, seal, execute, acknowledge, file, deliver and record all papers, instruments, agreements, documents and certificate, and to pay all charges, fees, taxes and other expenses, from time to time necessary, desirable or appropriate to be done, signed, sealed, executed, acknowledged, filed, delivered, recorded or paid, under any applicable law, or otherwise, as may be necessary or desirable in order to change the names of the Company's subsidiaries to reflect the change in the Company's name; and

FURTHER RESOLVED, that, after the Effective Time, each officer of the Company is hereby authorized, in the name and on behalf of the Company, to sign, seal, execute, acknowledge, file, deliver and record all papers, instruments, agreements, documents and certificate, and to pay all charges, fees, taxes and other expenses, from time to time necessary, desirable or appropriate to be done, signed, sealed, executed, acknowledged, filed, delivered, recorded or paid, under any applicable law, or otherwise, as may be necessary or desirable in order to incorporate a new subsidiary in the State of Delaware with the name "Computer Associates International, Inc."; and

FURTHER RESOLVED, that all actions to be taken or heretofore taken by any officer or agent of the Company in connection with any matter referred to or contemplated by any of the foregoing resolutions be, and they hereby are, approved, ratified and confirmed in all respects; and

FURTHER RESOLVED, that each officer of the Company is authorized to do all acts and things and to sign, seal, execute, acknowledge, file, deliver and record all papers, instruments, agreements, documents and certificates, and to pay all charges, fees, taxes and other expenses, from time to time necessary, desirable or appropriate to be done, signed, sealed, executed, acknowledged, filed, delivered, recorded or paid, under any applicable law, or otherwise, and to certify as having been adopted by this Board of Directors any form of resolution required by any law, regulation or agency, in order to effectuate the purpose of the foregoing resolutions or any of them or to carry out the transactions contemplated hereby.

IN WITNESS WHEREOF, I have executed this certificate as of the  $\underline{30}^{44}$  day of January 2006.

Name: Lawrence M. Egan, Jr.
Title: Assistant Secretary

PATENT REEL: 029381 FRAME: 0820

**RECORDED: 11/30/2012**