

PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
3Tera, Inc.	06/04/2010
RECEIVING PARTY DATA	
Name:	Computer Associates Think, Inc.
Street Address:	One CA Plaza
City:	Islandia
State/Country:	NEW YORK
Postal Code:	11749
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	13747588
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ATTORNEY DOCKET NUMBER:	063170.9916
NAME OF SUBMITTER:	Wendy Flottman
Signature:	/wendy flottman/
Date:	07/10/2013
Total Attachments: 5	

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ASSIGNMENT OF INTELLECTUAL PROPERTY

This Assignment, dated as of May 18, 2010 (the "Effective Date"), is entered into by and between 3Tera, Inc., a California corporation (the "Assignor") and Computer Associates Think, Inc., a Delaware corporation (the "Assignee");

WHEREAS Assignor owns certain rights, title and interest in and to various items of intellectual property; and,

WHEREAS, Assignee is desirous of acquiring such rights from Assignor.

DEFINITIONS

"Assigned Intellectual Property" means any and all Intellectual Property owned, acquired or created by Assignor, now or in the future, including, but not limited to that Intellectual Property set forth in Schedule A;

"Copyrights" means all copyrights (registered or otherwise) and registrations and applications for registration thereof, and all rights therein provided by multinational treaties or conventions, in software, writings, designs, plans, websites, mask works, works of expression or other

"Intellectual Property" means all intellectual and industrial property, including without limitation: (a) inventions, whether or not patentable, whether or not patented, whether or not reduced to practice or whether or not yet made the subject of a pending Patent application or applications, (b) ideas and conceptions of potentially patentable subject matter, including, without limitation, any patent disclosures, whether or not reduced to practice and whether or not yet made the subject of a pending Patent application or applications, (c) Patents, (d) Trademarks, (e) Copyrights, (f) Software, (g) trade secrets and confidential, technical or business information (including ideas, formulas, compositions, designs, inventions, and conceptions of inventions whether patentable or unpatentable and whether or not reduced to practice), (h) whether or not confidential, technology (including know-how and show-how), manufacturing and production processes and techniques, methodologies, research and development information, drawings, specifications, designs, plans, proposals, technical data, copyrightable works, financial, marketing and business data, pricing and cost information, business and marketing plans and customer and supplier lists and information, (i) copies and tangible embodiments of all the foregoing, in whatever form or medium, (j) all rights to obtain and rights to apply for Patents, and to register Trademarks and Copyrights, (k) all rights under any license agreements and any licenses, registered user agreements, technology or materials, transfer agreements, and other agreements or instruments with respect to items in (a) to (k) above; and (l) all rights to sue and recover and retain damages and costs and attorneys' fees for present and past infringement of any of the Intellectual Property rights hereinabove set out;

"Patents" means all national (including the United States) and multinational statutory invention registrations, patents, patent registrations, patent applications, provisional patent applications, industrial designs, industrial models, including all reissues, divisions, continuations, continuations-in-part, extensions and reexaminations, and all rights therein provided by multinational treaties or conventions and all improvements to the inventions disclosed in each such registration, patent or application;

"Software" means any and all computer programs and all related documentation, manuals, source code and object code, program files, data files, computer related data, field and data definitions and relationships, data definition specifications, data models, program and system logic, interfaces, program modules, routines, subroutines, algorithms, program

architecture, design concepts, system design, program structure, sequence and organization, screen displays and report layouts, and all other material related to such software; and

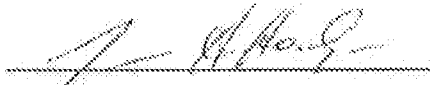
"Trademarks" means all trademarks, service marks, trade dress, logos, distinguishing guises and indicia, trade names, corporate names, business names, uniform resource locators, Internet addresses, worldwide web sites, domain names, whether or not registered, including all common law rights, and registrations, applications for registration and renewals thereof, including, but not limited to, all marks registered in the United States Patent and Trademark Office, the Trademark Offices of the States and Territories of the United States of America, and the Trademark Offices of other nations throughout the world, and all rights therein provided by multinational treaties or conventions, including all goodwill associated with each of the above.

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the sufficiency, receipt and adequacy of which is hereby acknowledged, the **Assignor** hereby agrees to assign and hereby sells, assigns, transfers, and sets over, unto the **Assignee**, its successors, legal representatives, and assigns the entire right, title, and interest in and to the Assigned Intellectual Property, including any rights, benefits and standing under any license agreements, and including the right to sue for prior infringements, misappropriations or other unauthorized use, and the right to recover and retain damages, including provisional or other royalties, the same to be held and enjoyed by the **Assignee**, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, as fully and entirely as the same would have been held and enjoyed by the **Assignor** had this assignment not been made;

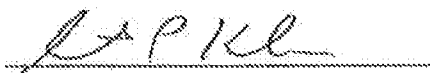
Assignor further covenants and agrees to assist **Assignee**, its successors, legal representatives, and assigns to sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done to perfect and record the assignment contemplated herein and to assist **Assignee** with the procurement, maintenance, enforcement and defense of the Assigned Intellectual Property without charge to the **Assignee**, its successors, legal representatives, and assigns, but at the cost and expense of the **Assignee**, its successors, legal representatives, and assigns; and

Assignee and Assignor agree that Assignor, and related entities, shall retain a one year, non-renewable, non-exclusive license to the Assigned Intellectual Property solely for the purpose of granting licenses to the 3Tera software.

3Tera, Inc.

By: 
Its: President
Date: June 4, 2010

Computer Associates Think, Inc.

By: 
Its: Secretary
Date: June 7, 2010

SCHEDULE A**Patents**

Country	Title	Patent #	Application/Serial #	Date Issued or Filed
US	Apparatus, Method and System for Aggregating Computing Resources		60/533,732	12/30/2003
US	Apparatus, Method and System for Aggregating Computing Resources	7,380,039	11/024,641	12/29/2004
US	Apparatus, Method and System for Aggregating Computing Resources		12/149,012	4/4/2008
EP	Apparatus, Method, and System for Rapid Delivery of Distributed Applications		6814787.5	9/15/2006
US	Apparatus, Method, and System for Rapid Delivery of Distributed Applications		60/717,381	9/15/2005
US	Apparatus, Method, and System for Rapid Delivery of Distributed Applications		11/522,050	9/15/2006
WO	Apparatus, Method, and System for Rapid Delivery of Distributed Applications		PCT/US2006/036130	9/15/2006
US	Globally Distributed Utility Computing Cloud		61/068,659	3/7/2008
US	Globally Distributed Utility Computing Cloud		61/125,334	4/23/2008
US	Globally Distributed Utility Computing Cloud		12/399,951	3/8/2009
US	Globally Distributed Utility Computing Cloud		12/400,710	3/9/2009
WO	Globally Distributed Utility Computing Cloud		PCT/US2009/036579	3/9/2009
US	Automated Filer Technique for use in Virtualized Appliances and Applications		61/058,921	6/5/2008
US	Automated Filer Technique for use in Virtualized Appliances and Applications		61/058,923	6/5/2008
WO	Automated Filer Technique for use in Virtualized Appliances and Applications		PCT/US2009/046503	6/5/2009
US	Apparatus, Method and System for Building Software by Composition		60/717,387	9/15/2005
WO	Apparatus, Method and System for Building Software by Composition		PCT/US2008/036131	9/15/2006
EP	Apparatus, Method and System for Building Software by Composition		06803716.7	9/15/2006

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Country	Title	Patent #	Application/Serial #	Date issued or Filed
US	Apparatus, Method and System for Building Software by Composition		11/992,093	3/13/2008

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