

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>Robert Birke</td> <td>01/29/2013</td> </tr> <tr> <td>Yiyu L. Chen</td> <td>01/29/2013</td> </tr> <tr> <td>Martin L. Schmatz</td> <td>01/29/2013</td> </tr> </tbody> </table>		Name	Execution Date	Robert Birke	01/29/2013	Yiyu L. Chen	01/29/2013	Martin L. Schmatz	01/29/2013		
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RECEIVING PARTY DATA											
<table border="1"> <tr> <td>Name:</td> <td>International Business Machines Corporation</td> </tr> <tr> <td>Street Address:</td> <td>New Orchard Road</td> </tr> <tr> <td>City:</td> <td>Armonk</td> </tr> <tr> <td>State/Country:</td> <td>NEW YORK</td> </tr> <tr> <td>Postal Code:</td> <td>10504</td> </tr> </table>		Name:	International Business Machines Corporation	Street Address:	New Orchard Road	City:	Armonk	State/Country:	NEW YORK	Postal Code:	10504
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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>14023861</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	14023861						
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CORRESPONDENCE DATA											
Fax Number: 8602860115 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> Phone: 860-286-2929 Email: usptopatentmail@cantorcolburn.com Correspondent Name: CANTOR COLBURN LLP-IBM YORKTOWN Address Line 1: 20 Church Street Address Line 2: 22nd Floor Address Line 4: Hartford, CONNECTICUT 06103											
ATTORNEY DOCKET NUMBER:	CH920120067US2										
NAME OF SUBMITTER:	Sean F. Sullivan										
Signature:	/Sean F. Sullivan/										

Date:	09/11/2013
	This document serves as an Oath/Declaration (37 CFR 1.63).
Total Attachments: 2 source=6TU3007#page1.tif source=6TU3007#page2.tif	

**DECLARATION (37 C.F.R. 1.63) FOR UTILITY PATENT APPLICATION USING AN
APPLICATION DATA SHEET (37 C.F.R. 1.76) AND ASSIGNMENT**

Title of Invention: OPTIMIZATION OF VIRTUAL MACHINE SIZING AND CONSOLIDATION

As a below named and undersigned inventor, I hereby declare that:

This declaration is directed to the attached application, or (if following box is checked):

☐ United States application or PCT international application number _____
filed on _____.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I have reviewed and understand the contents of the application, including the claims.

I am aware of the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR Section 1.56.

Whereas, I ("ASSIGNOR") have made certain inventions, improvements, and discoveries (herein referred to as the "Invention") disclosed in the above-identified patent application and further identified by the IBM Docket Number provided above in the header of this document;

Whereas, International Business Machines Corporation (herein referred to as the "ASSIGNEE"), a corporation of New York having a place of business at Armonk, New York, desires to acquire, and I desire to grant to the ASSIGNEE, my entire worldwide right, title, and interest in and to the Invention and in and to any and all patent applications and patents directed thereto;

Now, therefore, for good and valuable consideration, the receipt and sufficiency thereof being hereby acknowledged, I hereby sell or have sold, assign or have assigned, and otherwise transfer or have transferred to the ASSIGNEE, its successors, legal representatives, and assigns, my entire worldwide right, title, and interest in and to the Invention, the above-identified United States patent application, and any and all other patent applications and patents for the Invention which may be applied for or granted therefor in the United States and in all foreign countries and jurisdictions, including all divisions, continuations, reissues, reexaminations, renewals, extensions, counterparts, substitutes, and extensions thereof, and all rights of priority resulting from the filing of such applications and granting of such patents. In addition, I hereby authorize and request the Director of the United States Patent and Trademark Office to issue any United States Patent, and foreign patent authorities to issue any foreign patent, granted for the Invention, to the ASSIGNEE, its successors, legal representatives, and assigns, my entire worldwide right, title, and interest in and to the same to be held and enjoyed by the ASSIGNEE, its successors, legal representatives, and assigns to the full end of the terms for which any and all such patents may be granted, as fully and entirely as would have been held and enjoyed by me had this Assignment not been made; and I agree to execute any and all documents and instruments and perform all lawful acts reasonably related to recording this Assignment or perfecting title to the Invention and all related patents and applications, in the ASSIGNEE, its successors, legal representatives, and assigns, whenever requested by the ASSIGNEE, its successors, legal representatives, or assigns.

I acknowledge my prior and ongoing obligations to sell, assign, and transfer my rights under this Assignment to the ASSIGNEE and am unaware of any reason why I may not have the full and unencumbered right to sell, assign, and transfer my rights hereby sold, assigned, and transferred, and have not executed, and will not execute, any document or instrument in conflict herewith. I also hereby grant the ASSIGNEE, its successors, legal representatives, and assigns, the right to insert in this Assignment any further identification (including, but not limited to, patent Application Number) which may be necessary or desirable for recordation of this Assignment. This Assignment is governed by the substantive laws of the State of New York, and any disputes will be resolved in a New York state court or federal court sited in New York.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

(1) Legal Name of Inventor: **ROBERT BIRKE**

Signature: Robert Birke Date: 29/1/2013

(2) Legal Name of Inventor: **YIYU L. CHEN**

Signature: Yiyu L. Chen Date: 29/1/2013

(3) Legal Name of Inventor: **MARTIN L. SCHMATZ**

Signature: Martin L. Schmatz Date: 29.1.2013