

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT4910736

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
CHRISTOPHER A PETERS	10/01/2012
PUTHOKODE G RAMACHANDRAN	08/05/2013
LORIN E ULLMANN	09/28/2012
CRAIG LAWTON	08/24/2016
JOHN P WHITFIELD	08/24/2016
RECEIVING PARTY DATA	
Name:	INTERNATIONAL BUSINESS MACHINES CORPORATION
Street Address:	NEW ORCHARD RD
City:	ARMONK
State/Country:	NEW YORK
Postal Code:	10504
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	15950729
CORRESPONDENCE DATA	
Fax Number:	
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>	
Phone:	405-812-5613
Email:	rfrantz@franklingray.com
Correspondent Name:	ROBERT H. FRANTZ
Address Line 1:	P.O. BOX 23324
Address Line 4:	OKLAHOMA CITY, OKLAHOMA 73123
ATTORNEY DOCKET NUMBER:	AUS920040589US06
NAME OF SUBMITTER:	ROBERT H FRANTZ
SIGNATURE:	/ Robert H Frantz /
DATE SIGNED:	04/11/2018
This document serves as an Oath/Declaration (37 CFR 1.63).	
Total Attachments: 13	

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source=Substitute_Statement_Lawton#page2.tif
source=Substitute_Statement_Whitfield#page1.tif
source=Substitute_Statement_Whitfield#page2.tif

IBM DOCKET NUMBER: AUS920040589US4

**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: **Creation of Highly Available Pseudo-Clone Standby Servers for Rapid Failover
Provisioning**

As a below named inventor, I hereby declare that:

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

☒ [X] United States application or PCT international application number 13/625,125 filed on 09/24/2012.

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, the undersigned inventor(s) has/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, a corporation of New York having a place of business at Armonk, New York (herein referred to as "IBM"), desires to acquire, and each undersigned inventor desires to grant to IBM, the 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, each undersigned inventor ("ASSIGNOR") hereby sells or has sold, assigns or has assigned, and otherwise transfers or has transferred to IBM (the "ASSIGNEE"), its successors, legal representatives, and assigns, the 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, each undersigned inventor hereby authorizes and requests 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 IBM, its successors, legal representatives, and assigns, the entire worldwide right, title, and interest in and to the same to be held and enjoyed by IBM, 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 the undersigned had this Assignment not been made; and each undersigned inventor agrees 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 IBM, its successors, legal representatives, and assigns, whenever requested by IBM, its successors, legal representatives, or assigns.

Each undersigned inventor acknowledges their prior and ongoing obligations to sell, assign, and transfer the rights under this Assignment to IBM and is unaware of any reason why they may not have the full and unencumbered right to sell, assign, and transfer the rights hereby sold, assigned, and transferred, and has not executed, and will not execute, any document or instrument in conflict herewith. Each undersigned inventor also hereby grants IBM, 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: Vijay K. Aggarwal

Signature: _____ Date: _____

(2) Legal Name of Inventor: Craig Lawton

Signature: _____ Date: _____

(3) Legal Name of Inventor: Christopher A. Peters

Signature: Christopher A. Peters Date: 10/1/12

(4) Legal Name of Inventor: Puthukode G. Ramachandran

Signature: _____ Date: _____

(5) Legal Name of Inventor: Lorin E. Ullmann

Signature: _____ Date: _____

(6) Legal Name of Inventor: John P. Whitfield

Signature: _____ Date: _____

IBM DOCKET NUMBER: AUS920040589US4

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Now, therefore, for good and valuable consideration, the receipt and sufficiency thereof being hereby acknowledged, each undersigned inventor ("ASSIGNOR") hereby sells or has sold, assigns or has assigned, and otherwise transfers or has transferred to IBM (the "ASSIGNEE"), its successors, legal representatives, and assigns, the 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, each undersigned inventor hereby authorizes and requests 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 IBM, its successors, legal representatives, and assigns, the entire worldwide right, title, and interest in and to the same to be held and enjoyed by IBM, 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 the undersigned had this Assignment not been made; and each undersigned inventor agrees 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 IBM, its successors, legal representatives, and assigns, whenever requested by IBM, its successors, legal representatives, or assigns.

IBM DOCKET NUMBER: AUS920040589US4

Each undersigned inventor acknowledges their prior and ongoing obligations to sell, assign, and transfer the rights under this Assignment to IBM and is unaware of any reason why they may not have the full and unencumbered right to sell, assign, and transfer the rights hereby sold, assigned, and transferred, and has not executed, and will not execute, any document or instrument in conflict herewith. Each undersigned inventor also hereby grants IBM, 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.

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(1) Legal Name of Inventor: Vijay K. Aggarwal

Signature: _____ Date: _____

(2) Legal Name of Inventor: Craig Lawton

Signature: _____ Date: _____

(3) Legal Name of Inventor: Christopher A. Peters

Signature: _____ Date: _____

(4) Legal Name of Inventor: Puthukode G. Ramachandran

Signature:  _____ Date: AUG 5 2013

IBM DOCKET NUMBER: AUS920040589US4

(5) Legal Name of Inventor: Lorin E. Ullmann

Signature: _____ Date: _____

(6) Legal Name of Inventor: John P. Whitfield

Signature: _____ Date: _____

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(1) Legal Name of Inventor: Vijay K. Aggarwal

Signature: _____ Date: _____

(2) Legal Name of Inventor: Craig Lawton

Signature: _____ Date: _____

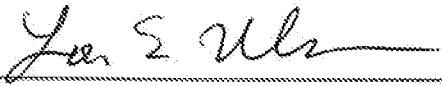
(3) Legal Name of Inventor: Christopher A. Peters

Signature: _____ Date: _____

(4) Legal Name of Inventor: Puthukode G. Ramachandran

Signature: _____ Date: _____

(5) Legal Name of Inventor: Lorin E. Ullmann

Signature:  Date: 9-28-12

(6) Legal Name of Inventor: John P. Whitfield

Signature: _____ Date: _____

**SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY
OR DESIGN PATENT APPLICATION (35 U.S.C. 115(d) AND 37 CFR 1.64)**

Title of Invention	Creation of Highly Available Pseudo-Clone Standby Servers for Rapid Failover Provisioning						
This statement is directed to:							
<input type="checkbox"/> The attached application,							
OR							
<input checked="" type="checkbox"/> United States application or PCT international application number <u>13/625,125</u> filed on <u>09/24/2012</u>							
LEGAL NAME of inventor to whom this substitute statement applies:							
(E.g., Given Name (first and middle (if any)) and Family Name or Surname)							
Craig Lawton							
Residence (except for a deceased or legally incapacitated inventor):							
City	Raleigh	State	NC	Country	US		
Mailing Address (except for a deceased or legally incapacitated inventor):							
5238 Coffee Tree dr.							
City	Raleigh	State	NC	Zip	27613	Country	US
I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.							
The above-identified application was made or authorized to be made by me.							
I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.							
Relationship to the inventor to whom this substitute statement applies:							
<input type="checkbox"/> Legal Representative (for deceased or legally incapacitated inventor only).							
<input checked="" type="checkbox"/> Assignee.							
<input type="checkbox"/> Person to whom the inventor is under an obligation to assign.							
<input type="checkbox"/> Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.46 is required), or							
<input type="checkbox"/> Joint Inventor							

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

SUBSTITUTE STATEMENT

Circumstances permitting execution of this substitute statement:

- ☐ Inventor is deceased,
☐ Inventor is under legal incapacity,
☒ Inventor cannot be found or reached after diligent effort, or
☐ Inventor has refused to execute the oath or declaration under 37 CFR 1.63.

If there are joint inventors, please check the appropriate box below:

- ☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) naming the entire inventive entity has been or is currently submitted.
 OR
☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) has not been submitted. Thus, a Substitute Statement Supplemental Sheet (PTO/AIA/11 or equivalent) naming the entire inventive entity and providing inventor information is attached. See 37 CFR 1.64(b).

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

Name: **Timothy M. Farrell, Reg. No. 37,321** August 24, 2016
Date (Optional):

Signature: 

APPLICANT NAME AND TITLE OF PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

If the applicant is a juristic entity, list the applicant name and the title of the signer:

International Business Machines Corporation

Applicant Name:

Title of Person Executing
This Substitute Statement: **Counsel**

The signer, whose title is supplied above, is authorized to act on behalf of the applicant.

Residence of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent):

City **Alpine** State **UT** Country

Mailing Address of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent)
357 N. Main St.

City **Alpine** State **UT** Zip **84004** Country **US**

Note: Use an additional PTO/AIA/02 form for each inventor who is deceased, legally incapacitated, cannot be found or reached after diligent effort, or has refused to execute the oath or declaration under 37 CFR 1.63.

**SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY
OR DESIGN PATENT APPLICATION (35 U.S.C. 115(d) AND 37 CFR 1.64)**

Title of Invention	Creation of Highly Available Pseudo-Clone Standby Servers for Rapid Failover Provisioning		
This statement is directed to:			
<input type="checkbox"/> The attached application,			
OR			
<input checked="" type="checkbox"/> United States application or PCT international application number <u>13/625,125</u> filed on <u>09/24/2012</u>			
LEGAL NAME of inventor to whom this substitute statement applies:			
(E.g., Given Name (first and middle (if any)) and Family Name or Surname)			
John P. Whitfield			
Residence (except for a deceased or legally incapacitated inventor):			
City	State	Country	
Cary	NC	US	
Mailing Address (except for a deceased or legally incapacitated inventor):			
223 Mindenhall Way			
City	State	Zip	Country
Cary	NC	27513	US
I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.			
The above-identified application was made or authorized to be made by me.			
I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.			
Relationship to the inventor to whom this substitute statement applies:			
<input type="checkbox"/> Legal Representative (for deceased or legally incapacitated inventor only),			
<input checked="" type="checkbox"/> Assignee,			
<input type="checkbox"/> Person to whom the inventor is under an obligation to assign,			
<input type="checkbox"/> Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.46 is required), or			
<input type="checkbox"/> Joint Inventor.			

[Page 1 of 2]

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PATENT
REEL: 045509 FRAME: 0150

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Name: Timothy M. Farrell, Reg. No. 37,321

August 24, 2016
Date (Optional):

Signature:

APPLICANT NAME AND TITLE OF PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

If the applicant is a juristic entity, list the applicant name and the title of the signer:

International Business Machines Corporation

Applicant Name:

Title of Person Executing
This Substitute Statement: Counsel

The signer, whose title is supplied above, is authorized to act on behalf of the applicant.

Residence of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent):

City Alpine

State UT

Country

Mailing Address of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent)

357 N. Main St.

City Alpine

State UT

Zip 84004

Country US

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