

TRADEMARK SCHEDULE

| MARK | REG. NO./ SERIAL NO. | REG. DATE/ FILING DATE | STATUS |
|---------------------------|---------------------------------|-----------------------------------|---------------|
| CLUSTRA | 2,419,562 | JANUARY 9, 2001 | REGISTERED |
| ALWAYS-ON APPLICATIONS | 76/271,409 | JUNE 12, 2001 | PENDING |
| ALWAYS-ON DATABASE | 76/271,410 | JUNE 12, 2001 | PENDING |
| ALWAYS-ON TECHNOLOGY | 76/271,408 | JUNE 12, 2001 | PENDING |
| DATABASE AREA NETWORK | 76/100,490 | AUGUST 1, 2000 | PENDING |
| MOJAVE BLUE | 76/174,669 | NOVEMBER 28, 2000 | PENDING |
| ZERO DOWNTIME DATABASE | 76/100,488 | AUGUST 1, 2000 | PENDING |
| TECHRA | 75/839,161 | NOVEMBER 2, 1999 | PENDING |
| DAN | 76/100,489 | AUGUST 1, 2000 | ABANDONED |

CA1 - 314136.1

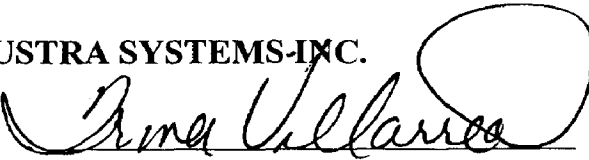
CONFIRMATORY TRADEMARK ASSIGNMENT

WHEREAS, **CLUSTRA SYSTEMS INC.**, a corporation organized under the laws of the State of Delaware, ("Assignor"), has adopted, used and is the record owner of trademarks, and registrations and Applications therefor, as set forth in **Schedule A** attached hereto ("Assigned Marks"), together with the goodwill of the business connected with and symbolized by the Assigned Marks; and


WHEREAS, **SUN MICROSYSTEMS, INC.**, a corporation organized and existing under the laws of the State of Delaware, ("Assignee") has previously acquired the pertinent assets of the Assignor, including the Assigned Marks, and wishes to confirm its acquisition of the Assigned Marks, together with the goodwill of the business connected with and symbolized by the Assigned Marks, pursuant to the acquisition. Assignee is the successor to the portion of the ongoing and existing business to which the trademarks pertain.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby confirm the aforesaid assignment and does hereby assign NUNC PRO TUNC, as of February 11, 2002, and/or as of any time prior to the present when such assignment was in fact consummated, to Assignee all right, title and interest in and to the Assigned Marks, and such other trademarks, service marks, trade names and trade dress as may be owned by Assignor and used in connection with the Assigned Marks, and all corresponding registrations and pending applications therefor, in all countries throughout the world (collectively, "All Marks"), together with the good will of the business connected with and symbolized by the All Marks, the same rights of Assignor to be held and enjoyed by Assignee for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made, and together with all the rights for recovery, damages and profits for past infringements thereof, if any.

CLUSTRA SYSTEMS-INC.

By: 
Name: IRMA VILLARREAL
Title: ASST. SECRETARY
Dated: 7/29/02

SUN MICROSYSTEMS, INC.

By: 
Name: Laura Pennell
Title: VP Legal
Dated: 7/29/02

CA1 - 311131.1

SCHEDULE A

A. UNITED STATES MARKS

1. Registrations

| MARK | U.S. REG. NO. | REG. DATE | STATUS |
|-------------|----------------------|------------------|---------------|
| CLUSTRA | 2,419,562 | JANUARY 09, 2001 | REGISTERED |

2. Applications

| MARK | U.S. SERIAL NO. | FILING DATE | STATUS |
|------------------------|------------------------|--------------------|---------------|
| ALWAYS-ON APPLICATIONS | 76/271409 | JUNE 12, 2001 | PENDING |
| ALWAYS-ON DATABASE | 76/271410 | JUNE 12, 2001 | PENDING |
| ALWAYS-ON TECHNOLOGY | 76/271408 | JUNE 12, 2001 | PENDING |
| DATABASE AREA NETWORK | 76/100490 | AUGUST 01, 2000 | PENDING |
| MOJAVE BLUE | 76/174669 | NOVEMBER 28, 2000 | PENDING |
| ZERO DOWNTIME DATABASE | 76/100488 | AUGUST 01, 2000 | PENDING |
| TECHRA | 75/839161 | NOVEMBER 2, 1999 | PENDING |

3. Common Law Marks

| MARK | U.S. SERIAL / REGISTRATION NO. | REGISTRATION/ FILING DATE | STATUS |
|-------------|---|--------------------------------------|---------------|
| DAN | 76/100489 | AUGUST 01, 2000 | ABANDONED |

B. FOREIGN MARKS*1. Benelux*

| MARK | REG. NO. | REG. DATE | STATUS |
|---------|----------|----------------------|------------|
| CLUSTRA | 653973 | FEBRUARY 24, 1999 | REGISTERED |

2. Canada

| MARK | REG. NO. | REG. DATE | STATUS |
|---------|------------|-----------------|------------|
| CLUSTRA | TMA549,903 | AUGUST 17, 2001 | REGISTERED |

3. European Community

| MARK | REG./ APP. NO. | FILING/REG. DATE | STATUS |
|---------------------------|----------------|-----------------------|------------|
| ALWAYS-ON APPLICATIONS | 002494185 | DECEMBER 04, 2001 | PENDING |
| ALWAYS-ON DATABASE | 002494219 | DECEMBER 04, 2001 | PENDING |
| ALWAYS-ON TECHNOLOGY | 002494193 | DECEMBER 04, 2001 | PENDING |
| MOJAVE BLUE | 002249530 | MAY 18, 2001 | PENDING |
| CLUSTRA | 001293042 | SEPTEMBER 25, 2000 | REGISTERED |
| TECHRA | 001364454 | OCTOBER 29, 1999 | PENDING |

4. Japan

| MARK | REG./ APP. NO. | FILING/REG. DATE | STATUS |
|------------------------|-----------------------|-------------------------|---------------|
| ALWAYS-ON APPLICATIONS | 2001-109830 | DECEMBER 10, 2001 | PENDING |
| ALWAYS-ON DATABASE | 2001-109829 | DECEMBER 10, 2001 | PENDING |
| MOJAVE BLUE | 4529746 | DECEMBER 14, 2001 | REGISTERED |
| CLUSTRA | 4285640 | JUNE 18, 1999 | REGISTERED |

5. Norway

| MARK | REG. NO. | REG. DATE | STATUS |
|-------------|-----------------|------------------|---------------|
| CLUSTRA | 190,787 | JUNE 12, 1998 | REGISTERED |
| TECHRA | 199911159 | OCTOBER 28, 1999 | PENDING |