

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

12/04/2006
900063883

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
EFFECTIVE DATE:	11/11/2006

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Avamar Technologies, Inc.		11/11/2006	CORPORATION: CALIFORNIA

RECEIVING PARTY DATA

Name:	EMC Corporation
Street Address:	176 South Street
Internal Address:	Legal Department
City:	Hopkinton
State/Country:	MASSACHUSETTS
Postal Code:	01748
Entity Type:	CORPORATION: MASSACHUSETTS

PROPERTY NUMBERS Total: 5

Property Type	Number	Word Mark
Registration Number:	2743642	AVAMAR
Registration Number:	2750522	AVAMAR
Registration Number:	2770141	AVASPHERE
Registration Number:	2724272	SNAPUP
Registration Number:	2700948	RAIN

CORRESPONDENCE DATA

Fax Number: (508)497-6915
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: 508-293-7835
 Email: ouellette_sott@emc.com
 Correspondent Name: Scott A. Ouellette
 Address Line 1: 176 South Street
 Address Line 2: Legal Department

700301234

TRADEMARK
 REEL: 003443 FRAME: 0034

CH \$140.00 2743642

Address Line 4: Hopkinton, MASSACHUSETTS 01748

NAME OF SUBMITTER:

Scott A. Ouellette

Signature:

/Scott A. Ouellette/

Date:

12/04/2006

Total Attachments: 5

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ASSIGNMENT OF PATENTS AND TRADEMARKS

This Assignment is effective as of November 15, 2006, by and between Avamar Technologies, Inc., a Delaware corporation having its principal place of business at 135 Technology Drive, Suite 100, Irvine, California (hereinafter, together with all subsidiary and affiliate companies which it now or hereafter owns, or controls, "Company"), and EMC Corporation, a Massachusetts corporation having its principal place of business at 176 South Street, Hopkinton, Massachusetts ("EMC").

WHEREAS, Company and EMC are parties to a certain Agreement and Plan of Merger dated October 31, 2006, (hereinafter the "Merger Agreement");

WHEREAS, it is a condition to the consummation of the transactions under the Merger Agreement that this Agreement be entered into;

WHEREAS, Company owns certain patents and patent applications which are listed on attached Schedule 1 ("Assigned Patents") and certain trademark and trademark applications which are listed on attached Schedule 2 ("Assigned Trademarks");


WHEREAS, EMC desires to receive from Company assignments to the Assigned Patents and Assigned Trademarks;

NOW THEREFORE, for good and valuable consideration, Company hereby assigns to EMC, all of (a) Company's entire right, title and interest, including the right to sue for and collect past damages, in and to the Assigned Patents, and any and all divisional applications, continuation applications, continuations-in-part, reissues, reexaminations thereof, and all pending applications therefor, which claim priority from any application from which Assigned Patents are derived, as well as, all foreign counterparts of Assigned Patents; and (b) Company's entire right, title and interest, including the right to sue for and collect past damages, in and to the Assigned Trademarks and all goodwill associated therewith.

Company hereby authorizes the Commissioner of Patents and Trademarks of the United States Patent and Trademark Office, and the empowered officials of all other governments to issue or transfer all said Assigned Patents and Assigned Trademarks to EMC, as assignee thereof, or otherwise as EMC may direct.

Signed at _____, California, this 11 day of November, 2006

COMPANY

By: 
Name: Edward J Walsh
Title: CEO

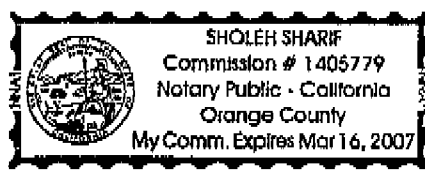
STATE OF CALIFORNIA)

COUNTY OF orange)

) ss.

Subscribed and sworn to before me on this 11 day of November, 2006

Sholeh Sharif
Notary Public
Commission Expires: Mar 16 2007



Schedule 2

AVAMAR		Case Number	058806.2100	Status:	Registered
US	United States of America				
	Application Number:	76264011	Registration Number:	2743642	
	Filing Date:	29-May-2001	Registration Date:	29-Jul-2003	
	Class(es):	9, 42	Next Renewal Date:	29-Jul-2013	
AVAMAR AND DESIGN		Case Number:	058806.2160	Status:	Registered
US	United States of America				
	Application Number:	78172058	Registration Number:	2750522	
	Filing Date:	08-Oct-2002	Registration Date:	12-Aug-003	
	Class(es):	9, 42	Next Renewal Date:	12-Aug-013	
AVASPHERE		Case Number:	058806.2130	Status:	Registered
US	United States of America				
	Application Number:	76410477	Registration Number:	2770141	
	Filing Date:	21-May-2002	Registration Date:	30-Sep-2003	
	Class(es):	42	Next Renewal Date:	30-Sep-2013	
AXION		Case Number:	058806.2150	Status:	Abandoned
US	United States of America				
	Application Number:	78153324	Registration Number:	None	
	Filing Date:	12-Aug-02	Registration Date:	None	
	Class(es):	9	Next Renewal Date:	None	

RAIN		Case Number:	058806.2060	Status:	Registered
US	United States of America				
	Application Number:	76108990	Registration Number:	2700948	
	Filing Date:	14-Aug-2000	Registration Date:	25-Mar-2003	
	Class(es):	42	Next Renewal Date:	25-Mar-2013	
SNAPUP		Case Number:	058806.2140	Status:	Registered
US	United States of America				
	Application Number:	78140288	Registration Number:	2724272	
	Filing Date:	01-Jul-2002	Registration Date:	10-Jun-2003	
	Class(es):	9	Next Renewal Date:	10-Jun-2013	
AVAMAR TECHNOL OGIES AND DESIGN		Case Number:	058806.4120	Status:	Registered
EU	European Community				
	Application Number:	2476737	Registration Number:	2476737	
	Filing Date:	22-Nov-2001	Registration Date:	17-Dec-2003	
	Class(es):	9, 16, 42	Next Renewal Date:	22-Nov-2011	
AVAMAR		Case Number:	058806.4160	Status:	Registered
EU	European Community				
	Application Number:	2881324	Registration Number:	002881324	
	Filing Date:	09-Oct-2002	Registration Date:	19-Aug-2005	

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	Class(es):	9, 16, 42	Next Renewal Date:	09-Oct-2012	
AXION		Case Number:	058806.4150	Status:	Registered
EU	European Community	Application Number:	2993608	Registration Number:	002993608
	Filing Date:	02-Jan-03	Registration Date:	18-Nov-04	
	Class(es):	9, 42	Next Renewal Date:	02-Jan-13	
UNDOO		Case Number:	058806.4081	Status:	Registered
EU	European Community	Application Number:	1798974	Registration Number:	1798974
	Filing Date:	08-Aug-2000	Registration Date:	08-Jan-2002	
	Class(es):	42	Next Renewal Date:	08-Aug-2010	
UNDOO		Case Number:	058806.4082	Status:	Registered
MX	Mexico	Application Number:	446853	Registration Number:	680580
	Filing Date:	11-Sep-2000	Registration Date:	30-Nov-2000	
	Class(es):	42	Next Renewal Date:	11-Sep-2010	

Avamar.com Domain Names:

avamar.com

Created on: Fri, May 11, 2001

Expires on: Fri, May 11, 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 11, 2006

PTAS

900063883ASCOTT A. OUELLETTE
176 SOUTH STREET
LEGAL DEPARTMENT
HOPKINTON, MA 01748

900063883A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 900063883

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE,
MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.
IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE,
YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT
571-272-3350.

1. ASSIGNMENT DOCUMENT SCANNED IN SIDWAYS.

KIMBERLY WHITE, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

TRADEMARK

Facsimile

EMC²
Where Information Lives

EMC Corporation
Office of the General Counsel
176 South Street
Hopkinton, Massachusetts 01748

File No.:
Fax: 508-497-6915
Voice: 508-293-7255

To: Assignment Services Division, ATTN: Kimberly White Company: USPTO Tel: 571-272-3350 Fax: 571-273-0140	12/11/06
From: Ruth Ballantyne EMC Corporation 508-293-7265	Page No: including this cover sheet 10

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RE: Transfer of Assignment from Avamar Technologies, Inc. to EMC Corporation – Document ID No. 900063883

I hereby certify that this paper correspondence is being transmitted by facsimile to 571-273-0140 to the United States Patent and Trademark Office under 37 C.F.R. 1.10 on December 11, 2006.

/Ruth Ballantyne/

Attached is a copy of the previous documents electronically submitted to the Assignment Services Division on June 19, 2006. I am resubmitting documents as the scanned documents were originally received by USPTO sideways

The Commissioner is hereby authorized to charge fees to EMC Corporation's Deposit Account No. 05-0889. Any other additional fees which may be necessary should also be charged to Deposit Account No. 05-0889.