

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: | 2750622 | 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: ouelletta_sott@emc.com
 Correspondent Name: Scott A. Ouellette
 Address Line 1: 176 South Street
 Address Line 2: Legal Department

700301237

TRADEMARK
 REEL: 003443 FRAME: 0043

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

source=AvamarAssignment#page1.tif

source=AvamarAssignment#page2.tif

source=AvamarAssignment#page3.tif

source=AvamarAssignment#page4.tif

source=AvamarAssignment#page5.tif

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

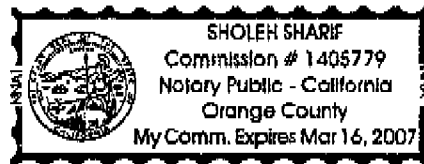
COMPANY

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 PublicCommission 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 | |
| AVASPHE RE | | 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 | |

OC\851014.5

| | | | | | |
|---|--------------------------|--------------|----------------------|-------------|------------|
| 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 TECHNOLOGIES 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 | |

| | | | | |
|--------------|---------------------|--------------|----------------------|--------------------|
| | 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

OC\851014.5