

APR 13 1999

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04-22-1999



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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

101015164

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof:

1. Name of conveying party(ies):

David B. Upham, Augustus Elmer, Laurence J. Newell,
David A. Pechner, Abraham Kou, Michael W. Rowan,
James F. Coward, Norman L. Swenson, and Minnie Ho

Additional name(s) of conveying party(ies) attached?

☐ Yes☒ No

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other: _____Execution Date: March 11, 15, ~~16~~, 17, 18, and 26,
1999

2. Name and address of receiving party(ies):

Name: Kestrel Solutions, Inc. P

Internal Address:

Street Address: 2370 Charleston Road

City: Mountain View

State: CA Zip: 94043

Additional name(s) & address(es) attached?

☐ Yes☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s):

09/229,594

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael W. Farn, Esq.

Internal Address: Fenwick & West LLP

Street Address: Two Palo Alto Square

City: Palo Alto State: CA Zip Code: 94306

6. Total number of applications and patents involved: [1]

7. Total fee (37 CFR 3.41): \$40.00

☒ Enclosed☒ Fee Transmittal Enclosed

8. Deposit Account No.: 19-2555

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael W. Farn, Reg. No. 41,015

Attorney, Reg No.

Signature

APR 18, 1999

Date

Total number of pages including cover sheet, attachments, documents: [7]

04/15/1999 CVORACHA 00000024 09299594

Main documents to be recorded with required cover sheet information to:

02 FC:501

40.00 DP

Box Assignment, Commissioner For Patents and Trademarks

Washington, D.C. 20231

Case Docket No.: 3592

PATENT
REEL: 9892 FRAME: 0691

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to Kestrel Solutions, Inc., a California corporation, having a place of business at 2370 Charleston Road, Mountain View, California ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the following:

1. The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the application for United States Letters Patent entitled: Electrical Add-Drop Multiplexing for Optical Communications Networks Utilizing Frequency Division Multiplexing ("APPLICATION"), which:

☐ is to be filed herewith

☒ was filed on January 13, 1999, now bearing U.S. serial number 09/229,594 and for which a Declaration was executed by INVENTOR on the date(s) below; and

2. The entire worldwide right, title, and interest in and to:

(a) the APPLICATION, including any right of priority; (b) any divisional, continuation, substitute, renewal, reissue, and other related applications thereto which have been or may be filed in the United States or elsewhere in the world; and (c) any patents which may be granted on the applications set forth in (a) and (b) above.

INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has made or will make hereafter no assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

Title of Document: **ASSIGNMENT**

Re: 3592

Title: Electrical Add-Drop Multiplexing for Optical Communications Networks
Utilizing Frequency Division Multiplexing

Filed: January 13, 1999

Serial No.: (if applicable) 09/229,594

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
<u>David B. Upham</u> David B. Upham	<u>3/11</u> , 1999	<u>3/11</u> , 1999
State of _____		
County of _____		

On _____ before me, _____ personally
[DATE] [NOTARY PUBLIC]

appeared _____ personally known to me or proved to me on the basis of
David B. Upham

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

<u>Name and Signature</u>	<u>Signature</u>	<u>Executed By This Person</u>
<u>Augustus Elmer</u> Augustus Elmer	<u>3/26</u> , 1999	<u>3/26</u> , 1999
State of _____		
County of _____		

On _____ before me, _____ personally
[DATE] [NOTARY PUBLIC]

appeared _____ personally known to me or proved to me on the basis of
Augustus Elmer

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

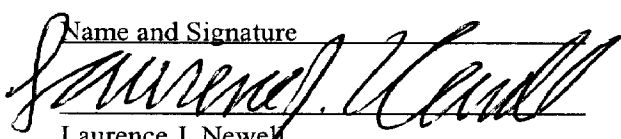
Title of Document: **ASSIGNMENT**

Re: 3592

Title: Electrical Add-Drop Multiplexing for Optical Communications Networks
Utilizing Frequency Division Multiplexing

Filed: January 13, 1999

Serial No.: (if applicable) 09/229,594

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
 Laurence J. Newell	<u>3/11</u> , 199 <u>9</u>	<u>3/11</u> , 199 <u>9</u>

State of _____

County of _____

On _____ before me, _____ personally

[DATE]

[NOTARY PUBLIC]

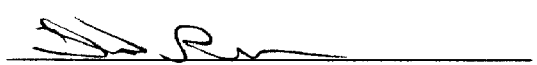
appeared _____ personally known to me or proved to me on the basis of

Laurence J. Newell

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
 David A. Pechner	<u>3-11</u> , 199 <u>9</u>	<u>3-11</u> , 199 <u>9</u>

State of _____

County of _____

On _____ before me, _____ personally

[DATE]

[NOTARY PUBLIC]

appeared _____ personally known to me or proved to me on the basis of

David A. Pechner

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

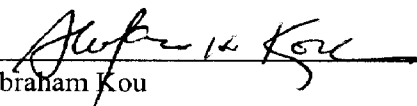
Title of Document: **ASSIGNMENT**

Re: 3592

Title: Electrical Add-Drop Multiplexing for Optical Communications Networks
Utilizing Frequency Division Multiplexing

Filed: January 13, 1999

Serial No.: (if applicable) 09/229,594

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
<u></u> Abraham Kou	<u>3/17</u> , 1999	<u>3/17</u> , 1999

State of _____

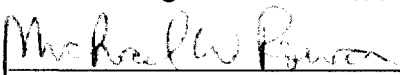
County of _____

On _____ before me, _____ personally
[DATE] [NOTARY PUBLIC]appeared _____ personally known to me or proved to me on the basis of
Abraham Kou

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
<u></u> Michael W. Rowan	<u>3/17</u> , 1999	<u>3/17</u> , 1999

State of _____

County of _____

On _____ before me, _____ personally
[DATE] [NOTARY PUBLIC]appeared _____ personally known to me or proved to me on the basis of
Michael W. Rowan

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary


Title of Document: **ASSIGNMENT**

Re: 3592

Title: Electrical Add-Drop Multiplexing for Optical Communications Networks
Utilizing Frequency Division Multiplexing

Filed: January 13, 1999

Serial No.: (if applicable) 09/229,594

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
 James F. Coward	3/15, 1999	3/15, 1999

State of _____

County of _____

On _____ before me, _____ personally

[DATE]

[NOTARY PUBLIC]

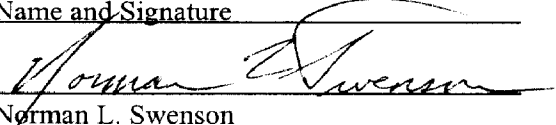
appeared _____ personally known to me or proved to me on the basis of

James F. Coward

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
 Norman L. Swenson	3/18, 1999	3/18, 1999

State of _____

County of _____

On _____ before me, _____ personally

[DATE]

[NOTARY PUBLIC]

appeared _____ personally known to me or proved to me on the basis of

Norman L. Swenson

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

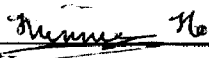
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Utilizing Frequency Division Multiplexing

Filed: January 13, 1999

Serial No.: (if applicable) 09/229,594

Name and Signature	Date of Signature	Date Declaration Executed By This Person
<u></u>	<u>3/18</u> , 199 <u>9</u>	<u>3/18</u> , 199 <u>9</u>
Minnie Ho		

State of _____

County of _____

On _____ before me, _____ personally

[DATE]

[NOTARY PUBLIC]

appeared _____ personally known to me or proved to me on the basis of

Minnie Ho

satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary