

07-26-1999



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JCS42 U.S. PTO  
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1. Name of conveying party(ies):  
Simon CAO

2. Name and address of receiving party(ies):  
Avanex Corporation  
42501 Albrae Street  
Freemont, CA 94538

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other: \_\_\_\_\_

Execution Date(s): July 2, 1999

4. Application number(s) or patent number(s):  
This document is being filed together with a new application:  
(a) The execution date(s) of the application is/are: July 2, 1999  
(b) The title is: VIRTUALLY IMAGED PHASED ARRAY (VIPA) HAVING SPACER ELEMENT AND OPTICAL LENGTH ADJUSTING ELEMENT  
\*\*\* OR \*\*\*

This document is being filed after filing of the application:  
(a) Patent Application No(s). \_\_, filed \_\_; or  
(b) Patent No(s). \_\_\_\_\_, issued \_\_\_\_\_.

5. Name and address of party to whom correspondence concerning document should be mailed:  
STAAS & HALSEY LLP Our Docket: 21.1884CIP  
Attention: Paul I. Kravetz  
700 Eleventh Street, N.W.  
Suite 500  
Washington, D.C. 20001

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)..... \$ 40.00  
 Enclosed  
 Authorized to be charged to deposit account.

8. Deposit Account No.: 19-3935 (Any underpayment is authorized to be charged to this Deposit Account)  
(Attach duplicate copy of this page if paying by deposit account)

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.*

Paul I. Kravetz  
Name of Person Signing

*Paul I. Kravetz*  
Signature

July 7, 1999  
Date

Total number of pages including cover sheet: 3

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# ASSIGNMENT

S&H 12/94

WHEREAS:

*(FULL NAME(S) AND  
POST OFFICE ADDRESS(ES)  
(including country)  
OF INVENTOR(S)*

Simon CAO  
c/o Avanex Corporation  
42501 Albrae Street  
Freemont, CA 94538

(hereinafter, referred to as ASSIGNOR), has/have invented certain new and useful improvements in an invention entitled

*(TITLE OF INVENTION)*

VIRTUALLY IMAGED PHASED ARRAY (VIPA) HAVING SPACER ELEMENT AND OPTICAL LENGTH  
ADJUSTING ELEMENT

*(COMPLETE EITHER  
(a), (b), (c) or (d)*

- (a) for which an application for United States Letters Patent is being executed and filed concurrently herewith;
- (b) for which an application for United States Letters Patent was executed on \_\_\_\_\_;
- (c) for which an application for United States Letters Patent was filed on \_\_\_\_\_, Serial No. \_\_\_\_\_;
- (d) for which United States Letters Patent No. \_\_\_\_\_ has issued on \_\_\_\_\_.

WHEREAS:

*(FULL NAME AND  
ADDRESS (including country)  
OF ASSIGNEE (if a corporation,  
so state and identify state/country  
of corporation)*

Avanex Corporation  
42501 Albrae Street  
Freemont, CA 94538 USA  
A California Corporation

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its lawful successors and assigns, the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, continuation-in-part, reexamination, renewal, substitute, extension or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted; and authorize and request the Commissioner of Patents of the United States and any official of any foreign country whose duty it is to issue patents or legal equivalents thereto, to issue same for this invention to ASSIGNEE, its lawful successors and assigns.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

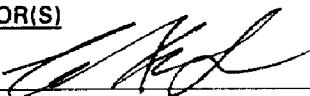
ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS THEREOF, I/We have hereunto set hand and signed on the date indicated below;

**SIGNATURE(S)**

*The signature(s) must correspond with the name(s) of the inventor(s) above.*

**INVENTOR(S)**

1)   
Simon CAO

2) \_\_\_\_\_  
[Name]

3) \_\_\_\_\_  
[Name]

4) \_\_\_\_\_  
[Name]

5) \_\_\_\_\_  
[Name]

6) \_\_\_\_\_  
[Name]

**DATE SIGNED**

7/2/99

\_\_\_\_\_

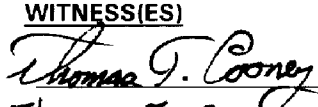
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**WITNESS(ES)**

 7/2/99  
Thomas F. Cooney

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