

08-30-1999



SHEET

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To the Honorable Commissioner of P.

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ached original documents or copy thereof.

1. Name of conveying party(ies):

Simon CAO

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

AVANEX CORPORATION
42501 Albrae Street,
Freemont, California 94538



Man 8/25/99

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

Execution Date(s): August 20, 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: _____
(b) The title is: _____

*** OR ***

This document is being filed after filing of the application:

- (a) Patent Application No(s). 09/216,984, filed December 21, 1998; or
(b) Patent No(s). _____, issued _____.
(c) The title is: OPTICAL PHASE CONTROLLER AND OPTICAL SWITCH

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

STAAS & HALSEY
Attention: Gene M. Garner II
700 Eleventh Street, N.W.
Suite 500
Washington, D.C. 20001

Our Docket: 21.1896\GMG

6. Total number of applications and patents involved: 1

40E

PATENTS ONLY

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

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

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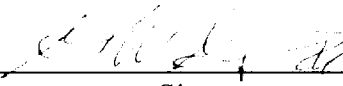
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9. Statement and signature.

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.

Gene M. Garner II, Reg. No. 34,172

Name of Person Signing


Signature

August 25, 1999

Date

Total number of pages comprising cover sheet, attachments, and document: 4

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ASSIGNMENT

S&H 12/94

WHEREAS:

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

Dr. Simon Cao
2202 Ensenada Way
San Mateo, California 94403

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

(TITLE OF INVENTION)

OPTICAL PHASE CONTROLLER AND OPTICAL SWITCH

(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 December 21, 1998, and assigned U.S. Serial No. 09/216,984;
- (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

(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) 
Dr. Simon Cao

2) _____

3) _____

4) _____

5) _____

6) _____

DATE SIGNED

8/20/99

WITNESS(ES)

