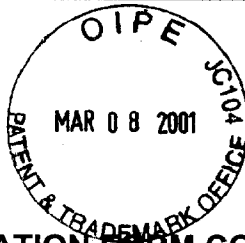


03-22-2001



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PATENT

REEL: 011597 FRAME: 0741

Correspondent Name and Address

Area Code and Telephone Number (972) 480-8800

Name Charles W. Gaines

Address (line 1) Hitt Gaines & Boisbrun, P.C.

Address (line 2) P.O. Box 832570

Address (line 3) Richardson, Texas 75083

Address (line 4)

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Patent Number(s)

09/651,543

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

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1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

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Deposit Account

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Deposit Account Number: # 50-1735

Authorization to charge additional fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

Charles W. Gaines

03/06/2001

Name of Person Signing

Signature

Date

ASSIGNMENT AND AGREEMENT

For value received, we, Robert M. Pafchek, of Blandon, in the County of Berks and State of Pennsylvania, and John Salama, of Lawrenceville, in the County of Gwinnett and State of Georgia, assign and transfer to Agere Systems Optoelectronics Guardian Corp., a corporation of the State of Delaware, having an office at Suite 105, 14645 N.W. 77th Avenue, Miami Lakes, FL 33014, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **"OPTOELECTRONIC DEVICE HAVING A DIRECT PATCH MASK FORMED THEREON AND A METHOD OF MANUFACTURE THEREFOR"** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Agere Systems Optoelectronics Guardian Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Agere Systems Optoelectronics Guardian Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right Agere Systems Optoelectronics Guardian Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Agere Systems Optoelectronics Guardian Corp. in the United States and in all countries foreign to the United States, or to such nominees as Agere Systems Optoelectronics Guardian Corp. may designate.

We agree that, when requested, we shall, without charge to Agere Systems Optoelectronics Guardian Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Robert M. Pafchek

Robert M. Pafchek

COMMONWEALTH
~~STATE~~ OF PENNSYLVANIA

COUNTY OF LEHIGH

§
§
§

On this 5th day of JANUARY, ~~2000~~²⁰⁰¹, before me personally came Robert M. Pafchek, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Debra L. Shipley

Notary Public

My Commission Expires:

NOTARIAL SEAL
DEBRA L. SHIPLEY, Notary Public
Breinigsville, Lehigh County
My Commission Expires May 5, 2003

John Salama
John Salama

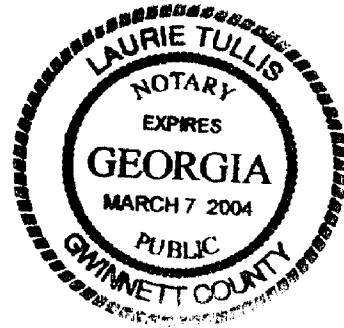
STATE OF Georgia
COUNTY OF Gwinnett

§
§
§

On this 5th day of March, 2001, before me personally came John Salama, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Laurie Tullis
Notary Public

My Commission Expires:
March 7, 2004



Agere Systems Optoelectronics Guardian Corp.
Suite 105
14645 N.W. 77th Avenue
Miami Lakes, FL 33014