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

1. Name of conveying party(ies):  
**Armand P. Neukermans, Rajiv Ramaswami,  
John F. Heanue, Brian P. Tremaine and  
Marc R. Schuman**

Additional name(s) of conveying party(ies) attached?  Yes  No

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

Execution Date: April 24, 2001

2. Name and address of receiving party(ies)

Name: Xros, Inc.

Internal Address: \_\_\_\_\_

APR 30 2001

Street Address: 2305 Mission College Boulevard

City: Santa Clara State: CA Zip: 95054

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 applications: \_\_\_\_\_

A. Patent Application No.(s)  
PCT/US01/08750 filed 16 MAR 2001 which  
Designates the United States

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Donald E. Schreiber, Esq.

Internal Address: \_\_\_\_\_

Donald E. Schreiber A Professional Corporation

Street Address: Post Office Box 64150

City: Sunnyvale State: CA Zip: 94089-1323

6. Total number of applications and patents involved:

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

Enclosed

Authorized to be charged to deposit account

8. Charge any deficiency or credit any surplus to Deposit Account number

19-0735

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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.*

Donald E. Schreiber

April 25, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

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Commissioner of Patents & Trademarks, Box Assignments  
Washington, D. C. 20231

PATENT

A S S I G N M E N T

We, Armand P. Neukermans, Rajiv Ramaswami, John F. Heanue, Brian P. Tremaine and Marc R. Schuman, whose respective citizenships, residences, and post office address are as stated below beneath our respective names, for One Dollar (\$1.00) in hand paid to us and for other good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to Xros, Inc., a Delaware Corporation having an office located at 2305 Mission College Boulevard, Santa Clara, California 95054 (hereinafter referred to as Assignee), its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter invented by us and disclosed in a Patent Cooperation Treaty ("PCT") international patent application that designates the United States and is entitled:

**VARIABLE ATTENUATION OF FREE-SPACE LIGHT BEAMS**

that was filed with the United States Patent and Trademark Office ("USPTO") on March 16, 2001, and has been assigned PCT patent application number PCT/US01/08750, and in and to any and all divisions, reissues, in and to all continuations and extensions thereof; and in and to all Letters Patent and all Convention and Treaty Rights of all kinds, in all countries throughout the world, for such subject matter.

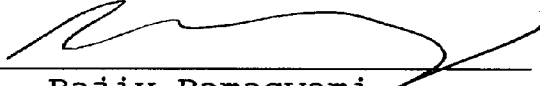
We hereby authorize and request that Patent Office Officials in the United States and any and all foreign countries issue any and all of the Letters Patent, when granted, to the Assignee, as the assignee of our entire right, title and interest in and to the same, for the sole use and enjoyment of said Assignee, its successors and assigns.

Further, we agree that we will communicate to said Assignee, or its representatives, any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisions, continuations, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said Assignee, make all rightful oaths and generally do everything necessary or desirable to aid said Assignee, its successors and assigns, in obtaining and enforcing proper protection for said invention in the United States and in any and all foreign countries.

In Testimony Whereof, we have hereunto set our hands this 24<sup>th</sup> day of April, 2001.



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State of California )  
County of *Santa Clara* )

On *24<sup>th</sup> April*, 2001, before me, Marcelle Ivie, a notary public, personally appeared Armand P. Neukermans, Rajiv Ramaswami, John F. Heanue, Brian P. Tremaine and Marc R. Schuman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

Witness my hand and Official seal.

Signature *Marcelle Ivie* (Seal)

