



06-04-2001

Docket No.: AVAN-P007**RECORDAT**

101738536

ASSIGNMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please record the attached original documents or copy thereof.

5-24-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1. Name of conveying party:

Inventor (s): YU, JUN
MAO, CHARLES
XIE, JIN

Serial No: 09/795,789

Filed: 2/28/2001

Execution Date:

5/16/20015/16/20015/16/2001

Group Art Unit: 3662

Examiner: (Not yet assigned)

2. Name and Address of

Receiving party: AVANEX CORPORATION
40919 ENCYCLOPEDIA CIRCLE
FREMONT, CA 94538

3. Nature of Conveyance: Assignment

4. Patent Application(s) / Patent Number(s): (not yet assigned)

New Patent Application Entitled:

"CONTROL METHODS FOR A METRO OPTICAL AMPLIFIER"

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

Name: DENNIS S. FERNANDEZ, ESQ.

Address: FERNANDEZ & ASSOCIATES, LLP
PATENT ATTORNEYS
PO BOX D
MENLO PARK, CA 94026-6204

01/10/2001 STEFFERA 00000035 09795789

01 62:561

40.00 DE

PHONE: (650) 325-4999 FAX: (650) 325-1203

EMAIL: iploft@iploft.com

6. Total Number of applications and patents involved: ONE

7. Fee Calculation

Assignment Recordation Fee \$40.00

Total Fees (37 CFR 3.41): \$40.00 X Enclosed Authorized to be charged to Deposit Account

8. Deposit Account Number:

In case Applicant inadvertently miscalculated any required fee, the Commissioner is hereby authorized to charge the necessary additional amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**. A duplicate copy of this authorization is enclosed.

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.


PETER C. SU
Reg. No. 43,939

Date: 5/24/2001

ASSIGNMENT

Whereas, We, JUN YU, CHARLES MAO, JIN XIE, having agreed to assign the below identified invention to **AVANEX CORPORATION** ("AVANEX"), a Delaware corporation having its principal place of business at **40919 Encyclopedia Circle, Fremont, CA 94538** for good and valuable consideration, receipt of which is hereby acknowledged, I do hereby sell, assign, and transfer unto **AVANEX**, its successors and assigns, the entire right, title, and interest, including the right of priority in, to and under an application for Letters Patents of the United States entitled:

"CONTROL METHODS FOR A METRO OPTICAL AMPLIFIER"

 filed herewith and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor; or

 X Serial No.: 09/795,789 , filed on 2/28/2001 and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

And for the above consideration, we agree promptly upon request of **AVANEX**, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional, or reissue, or other papers which may be necessary or desirable fully to secure to **AVANEX**, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent.

Inventor's Signature: John Yu Date: 5/16/2001
JUN YU

Inventor's Signature: Charles Mao Date: 5/16/01
CHARLES MAO

Inventor's Signature: Jin Xie Date: 5/16/01
JIN XIE