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PATENTS ONLY

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

<p>1. Name of conveying party(ies): Harry Dwyer and John Susantha Fernando Additional name(s) of conveying party(ies) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>10/09/01</i></p>	<p>2. Name and address of receiving party(ies) Name: <u>Agere Systems Inc.</u> Internal Address: _____</p>
<p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment      <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement      <input type="checkbox"/> Change of Name <input type="checkbox"/> Other</p> <p>Execution Date: <b>October 5, 2001</b></p>	<p>Street Address: <u>555 Union Boulevard</u> City: <u>Allentown</u> State: <u>PA</u> ZIP: <u>18109</u> Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>4. Application number(s) or patent number(s): <i>09975762</i> If this document is being filed together with a new application, the execution date of the application is: October 5, 2001 A. Patent Application No.(s)      B. Patent No.(s) Additional numbers attached?      Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: <b>Kevin M. Mason</b> Internal Address: <b>Ryan, Mason &amp; Lewis, LLP</b> Street Address: <b>1300 Post Road, Suite 205</b> City: <b>Fairfield</b> State: <b>CT</b> ZIP: <b>06430</b></p>	<p>6. Total number of applications and patents involved: <u>1</u> 7. Total Fee (37 CFR 3.41)..... \$ <u>40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number <u>50-1735</u></p>

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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.*

Kevin M. Mason      *Kevin M. Mason*      October 9, 2001  
Reg. No. 36,597      Signature      Date

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

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, DC 20231

## ASSIGNMENT AND AGREEMENT

For value received, we, Harry Dwyer of Annadale in the County of Hunterdon and the State of New Jersey and John Susantha Fernando of Coopersburg in the County of Lehigh and the State of Pennsylvania, hereby sell, assign and transfer to Agere Systems Inc., a corporation of the State of Delaware, having an office at 555 Union Boulevard, Allentown, PA 18109, 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 a **METHOD AND APPARATUS FOR REDUCING CACHE THRASHING**, described in an application for Letters Patent of the United States, executed by us on 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 Inc. 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 Inc. 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 of Agere Systems Inc. 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 Inc. in the United States and in all countries foreign to the United States, or to such nominees as Agere Systems Inc. they may designate.

We agree that, when requested, we shall, without charge to Agere Systems Inc. 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.

Harry Dwyer  
Harry Dwyer

Date: 10/5/01

United States of America )

State of Pennsylvania ) ss.:

County of Lehigh )

On this 5<sup>th</sup> day of October, 2001, before me personally came Harry Dwyer, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Janet M. Garger  
Notary Public

Notarial Seal  
Janet M. Garger, Notary Public  
Allentown, Lehigh County  
My Commission Expires Dec. 28, 2004  
Member Pennsylvania Association of Notaries

*John Susantha Fernando*

John Susantha Fernando

Date: 10/05/01

United States of America )

State of *Pennsylvania* ) ss.:

County of *Lehigh* )

On this 5<sup>th</sup> day of October, 2001, before me personally came John Susantha Fernando, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

*Janet M. Garger*  
Notary Public

Notarial Seal  
Janet M. Garger, Notary Public  
Allentown, Lehigh County  
My Commission Expires Dec. 28, 2004

Member, Pennsylvania Association of Notaries

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