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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):

Larry Fabiny

Additional name(s) of conveying parties attached? ☐ Yes ☒ No.

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other: \_\_\_\_\_

Execution Date: November 1, 2001

2. Name and address of receiving party(ies)

Name: Network Photonics, Inc.Internal Address: 4775 Walnut StreetStreet Address: 4775 Walnut StreetCity: Boulder State: CO ZIP: 80301Additional names and addresses 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 application is: November 1, 2001

A. Patent Application No(s):

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

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

Name: Patrick Boucher  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(303) 571-4000

6. Total number of applications and patents involved 1

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

- ☐ Enclosed
- ☒ Authorized to be charged to deposit account

8. Deposit account number: **20-1430**

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.*Patrick BoucherName of Person Signing  
Atty. Reg. No. 44,037Patrick Boucher

Signature

November 12, 2001

Date

Total number of pages including cover sheet, attachments and document

Mail documents to be recorded with required cover to:

Commissioner of Patents and Trademarks, Box Assignments  
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12/05/2001 6TON11 00000016 201430 09992087

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**PATENT**  
**REEL: 012329 FRAME: 0160**

**ASSIGNMENT OF PATENT APPLICATION**

SOLE

WHEREAS, Larry Fabiny of 3849 Orion Court, Boulder, CO. 80304, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:           WAVELENGTH ROUTER WITH A TRANSMISSIVE  
DISPERSIVE ELEMENT

Date(s) of execution of Declaration: *November 1, 2001*

Filing Date:                \_\_\_/\_\_\_/\_\_\_

Application No.:           ; and

WHEREAS, Network Photonics, Inc. of 4775 Walnut Street, Boulder, CO, 80301, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: 11-1-01

Larry Fabiny  
Larry Fabiny

STATE OF COLORADO       )  
                                      )  
COUNTY OF                )       ss.

On November 1, 2001, before me, Kathy L. Gonzales,  
personally appeared Larry Fabiny, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me  
that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

***My Commission Expires April 7, 2004***  
My Commission Expires: \_\_\_\_\_

Kathy L. Gonzales  
NOTARY PUBLIC  
4775 Walnut Street  
Boulder, CO 80301

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