

02-01-2002

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Our Ref.: 2345-375

Commissioner of Patents and Trademarks
Box Assignment, Washington, D.C. 20231

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

<p>1. Name of conveying party(ies): John ELLIS Alan BUTLER Christopher J. COS</p> <p>Additional name/s of conveying party/ies attached? <input type="checkbox"/></p> <p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Assignment <input type="checkbox"/> Change of Name <input type="checkbox"/> Other</p> <p>Execution Date: <u>January 23, 2002</u></p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Exabyte Corporation</u> Internal Address: _____ Street Address: <u>1685 38th Street</u> _____ _____ City: <u>Boulder</u> State/Country: <u>Colorado</u> Zip: <u>80301-2603</u></p> <p>Additional name/s & address/es attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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<p>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: <u>January 23, 2002</u></p>	
<p>A. Patent Application No(s). (1) to be assigned (2) (3)</p>	<p>B. Patent No(s). (1) (2) (3)</p> <p style="text-align: right; font-size: 2em;">10/053899</p>
<p>Additional numbers attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>H. Warren Burnam, Jr.</u> Internal Address: _____ Street Address: <u>Nixon & Vanderhye P.C.</u> <u>1100 North Glebe Road</u> <u>8th Floor</u> City: <u>Arlington</u> State: <u>VA</u> Zip: <u>22201</u></p>	<p>6. Total number of applications & patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41) \$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account #14-1140</p> <p>8. The Commissioner is hereby authorized to charge any <u>deficiency</u>, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper thereafter filed in this application by this firm) to our Account No. 14-1140.</p>
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DO NOT USE THIS SPACE

<p>9. Statements 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.</p>		
<p><u>H. Warren Burnam, Jr.</u> Name of Person Signing Reg. No. 29,366</p>	<p> Signature</p>	<p><u>January 24, 2002</u> Date</p>
<p>Total number of pages including original cover sheet, attachments, and document: [3]</p>		

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ASSIGNMENT

WHEREAS, John ELLIS, Alan BUTLER and Christopher J. CLOS (hereinafter ASSIGNORS) of 869 W. Barberry Circle, Louisville, Colorado 80027; 2882 Loma Place, Boulder, Colorado 80301; 1185 Claremont Drive, Boulder, Colorado 80305, respectively, have invented a certain improvement in CALIBRATION SCHEME FOR AUTOMATED TAPE LIBRARY for which a so-entitled design application for Letters Patent of the United is filed concurrently herewith;

WHEREAS, EXABYTE CORPORATION (hereinafter ASSIGNEE), a corporation of Delaware, having an office and place of business at 1685 38th Street, Boulder, Colorado 80301-2603 is desirous of acquiring an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the ASSIGNORS by these presents hereby sell, assign, and transfer unto the ASSIGNEE, its successors, assigns, and legal representatives, the aforesaid application(s) and the full and exclusive right to the invention and improvements therein in the United States and all foreign countries, as described in the aforesaid application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any Letters Patent or Patents claiming priority or resulting from the aforesaid application to ASSIGNEE, for its interest as ASSIGNEE, for the sole use and behoof of ASSIGNEE, its successors, assigns, and legal representatives. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vandcrhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention;

ASSIGNORS hereby agree to assist in the preparation of and hereby assign a like interest to said ASSIGNEE, its successors, assigns, and legal representatives, without further remuneration, any continuation, continuation-in-part, divisional, reissue, or foreign application claiming priority from the aforesaid application or otherwise growing out of or related to the invention; and to execute any papers by ASSIGNEE, its successors, assigns, and legal representatives necessary to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNORS specifically agree, upon request of ASSIGNEE, and without further remuneration, to execute any and all papers desired by ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in ASSIGNEE.

AGREED and executed as noted below:

01/23/2002
Date

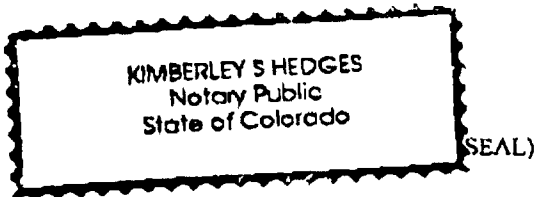
John Ellis
John ELLIS

COUNTY OF Boulder)
ss.
STATE OF Colorado)

On this 23rd day of January, 2002, John ELLIS, appeared before me personally and acknowledged to me that he executed the foregoing Assignment as a free act and deed for the uses and purposes therein set forth.

My Commission Expires: 1/1/2004

Kimberley S. Hedges
Notary Public



01/23/2002
Date

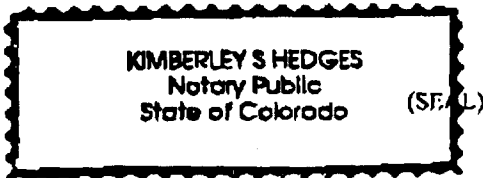
Alan Butler
Alan BUTLER

COUNTY OF Boulder)
ss.
STATE OF Colorado)

On this 23rd day of January, 2002, Alan BUTLER, appeared before me personally and acknowledged to me that he executed the foregoing Assignment as a free act and deed for the uses and purposes therein set forth.

My Commission Expires: 1/1/2004

Kimberley S. Hedges
Notary Public



1/23/02
Date

Ch J CLOS
Christopher J. CLOS

COUNTY OF Boulder)
SS.
STATE OF Colorado)

On this 23rd day of January, 2002, Christopher J. CLOS, appeared before me personally and acknowledged to me that he executed the foregoing Assignment as a free act and deed for the uses and purposes therein set forth.

My Commission Expires: 1/4/2004

Kimberley S. Hedges
Notary Public

