

04-12-2002

HEET



102053692

To the Honorable commissioner of P
Please record the attached original

1. Name of conveying party(ies):
John A. Scott

4-8-02

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

2. Name and address of receiving party(ies):

Name: Network Appliance, Inc.

Street Address: 495 East Java Drive

City: Sunnyvale

State: California Zip: 94089

Additional name(s) & address(es)
Attached? _____ Yes ☒ No

3. Nature of conveyance:
☒ Assignment
____ Merger
____ Security Agreement
____ Change of Name
____ Other

Execution Date: April 5, 2002

4. Application number(s) or patent number(s): 1

If this document is being filed together with a new application, the execution
date of the application is:

A. Patent Application No.(s)
United States Patent Application Serial
No. 10/086,785

B. Patent No. (s)

Additional numbers attached? _____ Yes ☒ No

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

Name: Duane H. Dreger

Street Address: Cesari and McKenna, LLP
88 Black Falcon Avenue

City: Boston State: MA Zip: 02210

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 no. 03-1237 (Attach duplicate
copy of this page if paying by deposit account)

04/10/2002 HNDH/IMM1 00000085 10086785
02 FC:581 40.00 04
DO NOT USE THIS SPACE

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.*

Duane H. Dreger, Reg. No. 48,836
Name of Person Signing

Signature

April 8, 2002
Date

Total number of pages comprising cover sheet: 1

ASSIGNMENT

Whereas I, John A. Scott, whose residence address is 102 Trafalgar Lane, Cary, NC 27513, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled **SYSTEM AND METHOD FOR BYTE SWAPPING FILE ACCESS DATA STRUCTURES**, identified by Cesari and McKenna File No. 112056-0048, the specification of which was filed on February 28, 2002, and accorded Serial Number 10/086,785; and

Whereas Network Appliance, Inc., whose address is 495 East Java Drive, Sunnyvale, CA 94089, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, Therefore, for valuable consideration furnished by Assignee to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservation:

1. Assign, transfer, and convey to Assignee my entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in my name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;


4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to Assignee without encumbrance;

5. Bind my heirs, legal representatives and assigns, as well as myself, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to me or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by me, my heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to

Assignee all facts known to me relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in my control or in the control of my heirs, legal representatives or assigns which may be useful for establishing the facts of my conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which I have executed this Assignment as an instrument under seal on the date indicated next to my name.

4/5/2002
Date


John A. Scott, Inventor

State of North Carolina)
County of Wake)ss.
)

On this 5th day of April, 2002, before me appeared John A. Scott, to me known and known to me to be the person described in and who executed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Kenna M. Harroette
Notary Public

[seal]