

04-29-2002

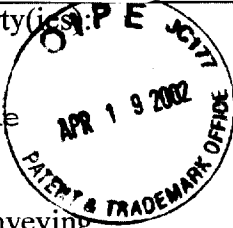
RECORDATION FORM COVER SHEET
PATENTS ONLY

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ents and Trademarks:
ocuments or copy thereof.

4.19.02

1. Name of conveying party(ies):
R. Guy Lauterbach
John Marshal Reed
Michael J. TuciaroneAdditional 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: CA Zip: 94089

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

3. Nature of conveyance:

- ☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other

Execution Date: 03/21/2002; 03/26/2002; and
04/12/2002 respectively

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) 10/072,140

B. Patent No. (s)

Additional numbers attached? Yes ☒ No5. 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
Account8. Deposit account no. 03-1237 (Attach duplicate
copy of this page if paying by deposit account)

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

April 19, 2002

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: 1

04/26/2002 610H11 00000060 10072140

01 FC:581

40.00 DP

PATENT
REEL: 012824 FRAME: 0086

ASSIGNMENT

Whereas We, R. Guy Lauterbach, whose residence address is 13704 Strawberry Circle, Penn Valley, CA 95964, John Marshal Reed, whose residence address is 16800 Sundance Drive, Morgan Hill, CA 95037-3838, and Michael J. Tuciarone, whose residence address is 822 Candlewood Drive, Cupertino, CA 95014, 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 DIAGNOSTICS EXECUTION AND DATA CAPTURE IN A STORAGE SYSTEM USING NONVOLATILE MEMORY, identified by Cesari and McKenna File No. 112056-0021, the specification of which was filed on February 7, 2002, and accorded Serial Number 10/072,140; 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 us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our 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 our names 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;

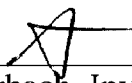
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to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

5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us 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 us, our 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 us 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 our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

March 21, 2002
Date

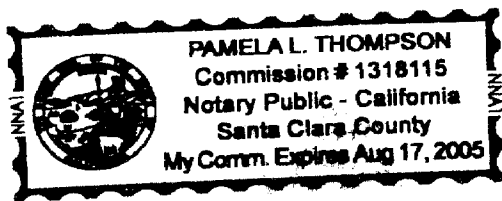
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R. Guy Lauterbach, Inventor

State of California)
)ss.
County of Santa Clara)


On March 21, 2002, before me, Pamela L. Thompson, Notary Public, personally
appeared R. Guy Lauterbach,

☐ personally known to me
☒ proved to me on the basis of satisfactory
evidence

to be the person(s) whose name(s) is/are
subscribed to the within instrument and
acknowledged to me that he/she/they
executed the same in his/her/their authorized
capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s),
or the entity upon behalf of which the
person(s) acted, executed the instrument.



WITNESS my hand and official seal


Signature of Notary Public

[seal]

3-26-02
Date

John M Reed
John Marshal Reed, Inventor

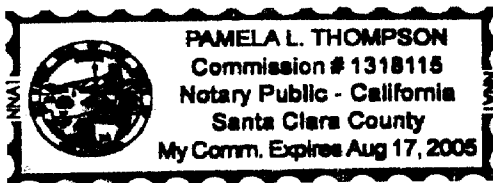
State of California)
)ss.
County of Santa Clara)

On March 26, 2002, before me, Pamela L. Thompson, ^{Notary Public}, personally

appeared John Marshal Reed,

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/~~are~~-
subscribed to the within instrument and
acknowledged to me that he/~~she/they~~-
executed the same in his/~~her/their~~ authorized
capacity(ies), and that by his/~~her/their~~
signature(s) on the instrument the person(s);
or the entity upon behalf of which the
person(s) acted, executed the instrument.



WITNESS my hand and official seal

Pamela L Thompson
Signature of Notary Public

[seal]

4/12/2002
Date

[Signature]
Michael J. Tuciarone, Inventor

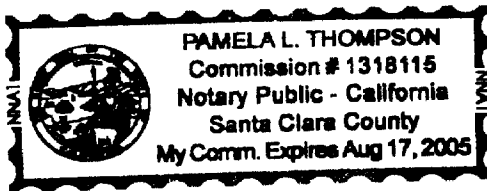
State of California)
County of Santa Clara)ss.

On April 12, 2002, before me, Pamela L. Thompson, ^{Notary Public,} personally
appeared Michael J. Tuciarone,

☐ personally known to me
☒ proved to me on the basis of satisfactory
evidence

to be the person(s) whose name(s) is/~~are~~
subscribed to the within instrument and
acknowledged to me that he/~~she~~/~~they~~
executed the same in his/~~her~~/~~their~~ authorized
capacity(~~ies~~), and that by his/~~her~~/~~their~~
signature(s) on the instrument the person(s),
or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal



[Signature]
Signature of Notary Public

[seal]