

Form PTO-1595

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Tab settings

To the Honorable Commissioner of Patents

06-21-2002



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U.S. Department of Commerce  
U.S. Patent and Trademark Office

Original documents or copy thereof

1. Name of conveying party(ies)

Edward J. Bortolini

6-11-02

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

3. Nature of conveyance:

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

Execution Date: May 17, 2002

2. Name and address of receiving party(ies)

Name: Network Photonics, Inc.

Internal Address: 4775 Walnut Street

Street Address: 4775 Walnut Street

City: Boulder State: CO ZIP: 80301

Additional 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: \_\_\_\_\_

A. Patent Application No(s): 10/093,843; filed March 8, 2002

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 copy of the original document.*

Patrick Boucher  
Name of Person Signing  
Atty. Reg. No. 44,037

Patrick Boucher  
Signature

2002 June 6  
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  
Washington, D.C. 20231

06/21/2002 6TOM11 00000237 201430 10093843

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**ASSIGNMENT OF PATENT APPLICATION**

JOINT

WHEREAS, Edward J. Bortolini, of 18 Shady Hollow, Nederland, CO 80466; 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:           **METHODS FOR PERFORMING IN-SERVICE UPGRADES  
OF OPTICAL WAVELENGTH CROSS CONNECTS**

Date(s) of execution of Declaration: *May 17, 2002*

Filing Date:                 **March 8, 2002**

Application No.:             **10/093,843; 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 Assignors, Assignors have assigned, and by these presents do 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 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 Assignors 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.

Assignors further agree that they 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 patent 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.

Assignors hereby authorize and request 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.

