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U.S. DEPARTMENT OF COMMERCE
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To the Honorable Commissioner of Patents and
thereof.

1. Name of conveying party(ies)

Vitaly S. Revsin
Alexander M. Pass
Irina P. Slutsky

09/09/02

Additional name(s) of conveying party(ies)
attached? [] Yes [X] 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
[X] No

3. Nature of conveyance:

- Assignment [] Merger
- [] Security Agreement [] Change of Name
- [] Other

Execution Date: 08/29/02; 8/30/02; 8/29/02

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09/09/02

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: August 29, 2002, August 30, 2002.

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

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

Weingarten, Schurgin,
Gagnebin & Lebovici LLP
Ten Post Office Square
Boston, Massachusetts 02109

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:
(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 information is true and correct and any attached copy is a true copy of the original document.

Attorney Name: David A. Dagg
Registration No. 37,809

Signature: *David A. Dagg*

Date: *September 9, 2002*

Total number of pages including cover sheet, attachments, and document: [3]

Mail documents to be recorded with required cover sheet information to:
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Enclosure
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A S S I G N M E N T

In consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, we,

Vitaly S. Revsin, residing at 4 Enfield Drive, Andover,
MA 01810-6021

and

Alexander M. Pass, residing at 13 Walker Road, North Andover,
MA 01845-1964

and

Irina P. Slutsky, residing at 5 Garfield Lane West, Andover,
MA 01810-5869

hereby sell and assign to NETWORK APPLIANCE, INC., a Delaware corporation, having a principal place of business at 495 East Java Drive Sunnyvale, CA 94089, its successors and assigns, the entire right, title and interest, including the right to claim priority under the International Convention, throughout the United States, its territories and all foreign countries in and to our invention(s) in

**METHOD AND APPARATUS FOR OPTIMIZING CHANNEL BANDWIDTH UTILIZATION BY
SIMULTANEOUS RELIABLE TRANSMISSION OF SETS OF MULTIPLE DATA TRANSFER
UNITS (DTUs)**

and the application for United States Letters Patent therefor executed by us on 8/29/02, 8/30/02 and identified as Attorney Docket No. NETAP-002XX, and such patents as may issue thereon and all divisions, reissues and continuations and continuations-in-part thereof.

And we hereby covenant that we have full right to make such assignment, and agree for ourselves and our executors and administrators that we will, at the expense of said NETWORK APPLIANCE, INC., execute all applications for patents in foreign countries, execute all divisional, continuing, reissue and re-examination applications, make all rightful oaths, sign all lawful papers, testify in any proceeding in which said invention or any application or patent directed thereto may be involved, and generally do everything possible to aid said NETWORK APPLIANCE, INC., its successors and assigns, to obtain and enforce proper patent protection for said invention in the United States, its territories and all foreign countries.

And we hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent on said invention or resulting therefrom to NETWORK APPLIANCE, INC., its successors and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals.

Vitaly Revsin
Vitaly S. Revsin

Date: 8/29/2002

Alex Pass
Alexander M. Pass

Date: 8/30/2002

Irina Slutsky
Irina P. Slutsky

Date: 08/29/2002

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