

10-22-2002



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10-22-02

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

1. Name of conveying party(ies):

JPMorgan Chase Bank (f/k/a The Chase Manhattan Bank)

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

3. Nature of conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Termination and Release of Security Interest in  
Patent RightsExecution Date: September 30, 2002

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

Name: Agere Systems Optoelectronics Guardian Corp.

Internal Address: \_\_\_\_\_

Street Address: 9333 South John Young ParkwayCity: Orlando State: FL ZIP: 32819Additional name(s) & addresses attached? ☐ Yes ☒ No

4. Application number(s) or patents 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)

See Attached Continuation of Item Four

B. Patent No.(s)

See Attached Continuation of Item Four

Additional numbers attached? ☒ Yes ☐ No

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

Name: Robyn Rahbar, Esq.Internal Address: Simpson Thacher & BartlettStreet Address: 425 Lexington AvenueCity: New York State: NY ZIP: 100176. Total number of applications and patents involved: 37

7. Total fee (37 CFR 3.41): ..... \$1,480.00

☐ Enclosed☒ Authorized to be charged to credit card

8. Deposit account number: \_\_\_\_\_

DO NOT USE THIS SPACE

9. Signature.

Robyn Rahbar, Esq.  
Name of Person SigningRobyn Rahbar  
Signature10/21/02  
DateTotal number of pages including cover sheet, attachments, and documents: 7

**CONTINUATION OF ITEM FOUR FROM RECORDATION COVER SHEET****4.     Application number(s) or patent number(s):**

<b>App. No.</b>
08/489,243
09/412,181
09/493,749
09/493,758

<b>Patent No.</b>	<b>Patent No.</b>	<b>Patent No.</b>
4,400,052	4,948,407	5,212,701
4,439,265	4,949,350	5,212,702
4,448,479	4,991,179	5,221,413
4,553,810	4,999,843	5,226,055
4,597,638	5,042,889	5,237,577
4,637,129	5,063,569	5,345,462
4,660,208	5,115,442	5,348,912
4,716,130	5,158,907	5,509,815
4,730,105	5,169,798	5,550,089
4,860,296	5,170,407	5,625,617
4,865,408	5,206,871	5,627,854

**TERMINATION AND RELEASE OF SECURITY INTEREST  
IN PATENT RIGHTS**

TERMINATION AND RELEASE, dated as of September 30, 2002, from JPMorgan Chase Bank (formerly known as The Chase Manhattan Bank), a New York banking corporation, as Administrative Agent (the "Agent") for certain banks and other financial institutions (the "Lenders"), to Agere Systems Optoelectronics Guardian Corp., a Delaware corporation with its principal place of business located at 9333 South John Young Parkway, Orlando, FL 32819.

WITNESSETH:

WHEREAS, pursuant to the Guarantee and Collateral Agreement, dated as of April 2, 2001, made by the Grantors (as defined therein) in favor of the Agent (the "Collateral Agreement"), a security interest (the "Security Interest") was granted by the Grantors to the Agent in certain collateral, including the Patent Collateral (as hereinafter defined);

WHEREAS, pursuant to that certain Conditional Assignment of and Security Interest in Patent Rights, dated as of April 2, 2001, among the Agent and Agere Systems Optoelectronics Guardian Corp. (the "Conditional Assignment"), Agere Systems Optoelectronics Guardian Corp., by reference to the Collateral Agreement, reaffirmed its intent to grant a Security Interest to the Agent specifically in certain Patent Collateral;

WHEREAS, the Conditional Assignment was recorded in the Patent Division of the United States Patent and Trademark Office on April 5, 2001, at Reel 011692 and Frame 0475; and

WHEREAS, the Agent now desires to terminate and release the entirety of its Security Interest in the Patent Collateral;

NOW, THEREFORE, for good and valuable consideration including the satisfaction of all obligations, indebtedness and liabilities secured by the Patent Collateral pursuant to the Collateral Agreement, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination and Release, the Agent hereby states as follows:

1. Definitions: The term "Patent Collateral," as used herein, shall mean all of the Grantors' right, title and interest of every kind and nature as of the date hereof in the Patents (including, without limitation, those items listed on Schedule A hereto). The term "Patents" shall have the meaning provided by reference in the Collateral Agreement and the Conditional Assignment.

2. Release of Security Interest: The Agent hereby terminates, releases and discharges its Security Interest in the Patent Collateral, and any right, title or interest of the Agent in such Patent Collateral shall hereby cease and become void.

3. Further Assurances: The Agent hereby agrees to duly execute, acknowledge, procure and deliver any further documents and to do such other acts as may be reasonably necessary to effect the release of the Security Interest contemplated hereby.

*[Remainder of page left blank intentionally; Signature page to follow.]*

IN WITNESS WHEREOF, the undersigned has executed this Termination and Release by its duly authorized officer as of the date first above written.

JPMORGAN CHASE BANK

By: 

Name:

Edmond DeForest  
Vice President

Title:

**SCHEDULE A**

<b>Patent/ Serial Number</b>	<b>Title</b>
4400052	Method For Manufacturing Birefringent Integrated Optics Devices
4439265	Fabrication Method For Linbo.Sub.3 And Litao.Sub.3 Integrated Optics Devices
4448479	Travelling Wave, Electrooptic Devices With Effective Velocity Matching
4553810	Traveling Wave Electrooptic Devices
4597638	Nonlinear Optical Apparatus
4637129	Selective Area Iii-V Growth And Lift-Off Using Tungsten Patterning
4680208	Semiconductor Devices Employing Fe-Doped Mocvd Inp-Based Layer For Current Confinement
4716130	Mocvd Of Semi-Insulating Indium Phosphide Based Compositions
4730105	Apparatus For The Stabilization Of The Output Intensity Of A Laser Using A Fabry-Perot Cavity
4860296	Laser Controlled By A Multiple-Layer Heterostructure
4865408	Low Crosstalk Reversed .Delta..Beta. Electrodes For Directional Coupler Switch
4948407	Proton Exchange Method Of Forming Waveguides In Linbo.Sub.3
4949350	Surface Emitting Semiconductor Laser
4991179	Electrically Pumped Vertical Cavity Laser
4999843	Vertical Semiconductor Laser With Lateral Electrode Contact
5042889	Magnetic Activation Mechanism For An Optical Switch
5063569	Vertical-Cavity Surface-Emitting Laser With Non-Epitaxial Multilayered Dielectric Reflectors Located On Both Surfaces
5115442	Top-Emitting Surface Emitting Laser Structures
5158907	Method For Making Semiconductor Devices With Low Dislocation Defects
5169798	Forming A Semiconductor Layer Using Molecular Beam Epitaxy
5170407	Elimination Of Heterojunction Band Discontinuities
5206871	Optical Devices With Electron-Beam Evaporated Multilayer Mirror
5212701	Semiconductor Surface Emitting Laser Having Enhanced Optical Confinement
5212702	Semiconductor Surface Emitting Laser Having Reduced Threshold Voltage And Enhanced Optical Output
5221413	Method For Making Low Defect Density Semiconductor Heterostructure And Devices Made Thereby
5226055	Devices Having Repetitive Layers
5237577	Monolithically Integrated Fabry-Perot Saturable Absorber
5345462	Semiconductor Surface Emitting Laser Having Enhanced Polarization Control And Transverse Mode Selectivity
5348912	Semiconductor Surface Emitting Laser Having Enhanced Optical Confinement
5509815	Solder Medium For Circuit Interconnection
5550089	Gallium Oxide Coatings For Optoelectronic Devices Using Electron Beam Evaporation Of A High Purity Single Crystal Gd.Sub.3 Ga.Sub.5 O.Sub.12 Source.
5625617	Near-Field Optical Apparatus With A Laser Having A Non-Uniform Emission Face
5627854	Saturable Bragg Reflector
08/489243	Multi-Channel Optical Fiber Communication System

09/412181 Wavelength Stabilized Laser Modules

09/493749 Semiconductor Optical Device Package

09/493758 High Speed Semiconductor Photodetector

SIMPSON THACHER & BARTLETT

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VIA FEDERAL EXPRESS

October 21, 2002

Re: Recordation of Termination and Release

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Assignment Division  
1213 Jefferson Davis Hwy, 3<sup>rd</sup> Floor  
Arlington, VA 22202

Dear Madam or Sir:

Enclosed for recording please find a Termination and Release of Security Interest in Trademark Rights in favor of Agere Systems Optoelectronics Guardian Corp., covering 37 U.S. patents and patent applications.

Also completed and enclosed is form PTO-2038, authorizing credit card payment in the amount of \$1,480 to cover the filing fee. Please return confirmation of this filing to me at my firm's address as listed above.

Thank you for your consideration.

Respectfully submitted,

  
Robyn Rahbar

Enclosure

LONDON

HONG KONG

TOKYO

SINGAPORE

LOS ANGELES

PALO ALTO

RECORDED: 10/22/2002

PATENT  
REEL: 013392 FRAME: 0350