

12-31-2002

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U.S. DEPARTMENT OF COMMERCE
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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Neeraj Gulati, Theodore E. Tedijanto, Gregory Bernstein and Biao Lu

10-28-02

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

Name: **CIENA CORPORATION**

Address: **LEGAL DEPARTMENT**

1201 WINTERSON ROAD

City: **LINTHICUM**

State/Prov.: **MD**

Country: **USA**

ZIP: **21090**

Additional names(s) of conveying party(ies) Yes No

Additional name(s) & address(es) Yes No

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: **10/04/02; 10/05/02**

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

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

Patent Application No. Filing date

09/493,344 01/28/00

10/31/2002 AMONDAF1 00000153 500308 09493344
07 FC:8021 40.00 CH

Additional numbers

B. Patent No.(s)

Yes No

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OCT 31 2002

OFFICE OF PETITIONS

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

Name: **DAVID L. SOLTZ**

Registration No. **34,731**

Address: **CIENA CORPORATION**

LEGAL DEPARTMENT

1201 WINTERSON ROAD

City: **LINTHICUM** State/Prov.: **MD**

Country: **USA** ZIP: **21090**

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ **40.00**

- Enclosed - Any excess or insufficiency should be credited or debited to deposit account
- Authorized to be charged to deposit account

8. Deposit account number:

50-0308

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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.

DAVID L. SOLTZ

Name of Person Signing

Signature

OCTOBER 29, 2002

Date

6

Total number of pages including cover sheet, attachments, and

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to CIENA a Delaware corporation, having a place of business at 1201 Winterson Road, Linthicum, MD 21090-2205, for itself and its successors, transferees, and assignees, the following:

The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the provisional application filed under 35 U.S.C. §111(b) or non-provisional application filed under 35 U.S.C. §111(a) and entitled

**SYSTEM AND METHOD FOR CALCULATING PROTECTION
ROUTES IN A NETWORK PRIOR TO FAILURE**

("APPLICATION") which:

- is to be filed herewith
 was filed on 01/28/00,
now bearing U.S. application number 09/493,344; and

2. The entire worldwide right, title, and interest in and to:

(a) the APPLICATION; (b) all applications claiming priority from the APPLICATION; (c) all utility, divisional, continuation, substitute, renewal, reissue, and other related applications thereto which have been or may be filed in the United States or elsewhere in the world; (d) all patents (including reissues and re-examinations) which may be granted on the applications set forth in (a), (b), (c) and (d) above; and (e) all right of priority in the APPLICATION, together with all rights to recover damages for infringement of provisional rights.

INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has not made and will not hereafter make any assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

INVENTOR grants the attorney of record the power to insert on this Assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Title of Document: ASSIGNMENT

Title: SYSTEM AND METHOD FOR CALCULATING PROTECTION ROUTES IN A
NETWORK PRIOR TO FAILURE

Filed: January 25, 2000

Serial No.: 09/493,344

| <u>Name and Signature:</u> | <u>Date of Signature</u> | <u>Date Declaration Executed By This Person</u> |
|--|--------------------------|---|
| <u>Neeraj Gulati</u> Neeraj Gulati 10884 Via Sorrento Cupertino, California 95014 | <u>Oct 4, 2002</u> | <u>Oct 4, 2002</u> |

State of _____) S.S.
County of _____)

On _____ before me, _____ personally
[DATE] [NOTARY PUBLIC]
appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to
[INVENTOR]
be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity
upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

Title of Document: ASSIGNMENT

Title: SYSTEM AND METHOD FOR CALCULATING PROTECTION ROUTES IN A NETWORK PRIOR TO FAILURE

Filed: January 25, 2000

Serial No.: 09/493,344

This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

| <u>Name and Signature</u> | <u>Date of Signature</u> | <u>Date Declaration Executed By This Person</u> |
|--|--------------------------|---|
| <u>Theodore E. Tedijanto</u> | <u>10/4/2002</u> | <u>10/4/2002</u> |
| Theodore E. Tedijanto 20818 Dunbar Drive Cupertino, California 95014 | | |

State of _____ } S.S.
County of _____ }

On _____ before me, _____ personally
[DATE] [NOTARY PUBLIC]
appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to
[INVENTOR]

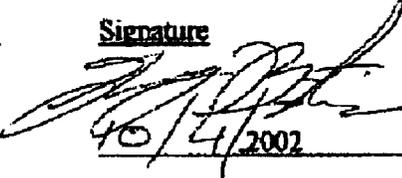
be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal

Notary

Title of Document: ASSIGNMENT

Title: SYSTEM AND METHOD FOR CALCULATING PROTECTION ROUTES IN A NETWORK PRIOR TO FAILURE
Filed: January 25, 2000
Serial No.: 09/493,344

| | Date of | Date Declaration |
|----------------------------|--|--------------------------------|
| <u>Name and Signature:</u> | <u>Signature</u> | <u>Executed By This Person</u> |
| |  4/14/2002 | _____, 2002 |

Gregory Berustein
41095 Canyon Heights Dr.
Fremont CA, 94539

State of California } S.S.
County of Alameda }

On _____ before me, _____ personally
[DATE] [NOTARY PUBLIC]
appeared _____ personally known to me or proved to me on the basis of satisfactory evidence
to
[INVENTOR]

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

Notary Seal

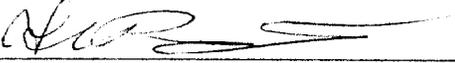
Notary

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Title: SYSTEM AND METHOD FOR CALCULATING PROTECTION ROUTES IN A NETWORK PRIOR TO FAILURE

Filed: January 25, 2000

Serial No.: 09/493,344

| Name and Signature: | Date of Signature | Date Declaration Executed By This Person |
|--|-------------------|--|
|  | 10/5/2002 | 2002 |

Biao Lu
19608 Pruneridge Avenue, #8207
Cupertino, CA 95014

State of California } S.S.
County of Santa Clara }

On October 5, 2002 before me, Hema Kamdar personally
[DATE] [NOTARY PUBLIC]
appeared Biao Lu personally known to me or proved to me on the basis of satisfactory evidence to
[INVENTOR]

be the person whose name is subscribed to the within instrument and acknowledged to me that ~~he~~^{she} executed the same in ~~his~~^{her} authorized capacity, and that by ~~his~~^{her} signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal



Hema Kamdar
Notary