

01-29-2003



Form PTO-1595

(Rev. 03/01)

OMB No 0651-0027 (exp. 5/31/2002)

U.S. DEPARTMENT OF COMMERCE  
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102350804

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

## 1. Name of conveying party(ies):

PHAETHON COMMUNICATIONS INC.

1-28-03

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

Name: TERAXION INC.

Internal Address:

Street Address:

360 Franquet Street, Suite 20

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 3. Nature of Conveyance:

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

City: Sainte-Foy

State: Quebec, Canada

Zip: G1P 4N3

Execution Date: December 2, 2002

Additional name(s) &amp; address(es) 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 new application is:

## A. Patent Application No.(s):

09/757,386	10/056,575	09/878,122	09/826,294
09/957,443	10/154,505	09/929,878	09/851,884
09/883,081	09/957,690	09/756,992	09/924,784

## B. Patent No.(s):

Additional numbers attached? ☒ Yes ☐ No

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

Name: Michael A. Papalas  
Fulbright & Jaworski L.L.P.

Internal Address: Atty. Dkt.: 60901/G99999/10102671

Street Address:  
2200 Ross Avenue, Suite 2800City:  
DallasState:  
TXZip:  
75201-2784

## 6. Total number of applications and patents involved:

## 7. Total fee (37 CFR 3.41)

\$ 640.00

☒ Enclosed☐ Authorized to be charged to deposit account☐ Authorized to be charged to credit card  
(Form 2038 enclosed)

## 8. Deposit account number:

06-2380

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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.*Michael A. Papalas  
Name of Person Signing

Signature

January 22, 2003  
Date

Total number of pages including cover sheet, attachments, and documents: 7

## Recordation Form Cover Sheet

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Assignment, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: January 22, 2003

Signature: Rita Carr (Rita Carr)

01/28/2003 00000109 09757386

01 FC 0021

640.00 DP

PATENT  
REEL: 013690 FRAME: 0673

**RECORDATION FORM COVER SHEET  
(continued)****Additional Conveying Party(ies) (1. Continued):****Additional Assignees (2. Continued):**

Assignee Name: \_\_\_\_\_

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

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Assignee Name: \_\_\_\_\_

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

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Assignee Name: \_\_\_\_\_

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

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Additional Applications and/or Patents (4. Continued):**

Additional Patent Application Numbers

4A. Continued:

10/062,577  
09/961,042  
09/940,183  
10/134,878

Additional Patent Numbers

4B. Continued:

Additional numbers attached?

☐

Yes

☒

No

# PATENT ASSIGNMENT

WHEREAS, **PHAETHON COMMUNICATIONS INC.** a duly constituted corporation having its place of business at 5005 Brandin Ct., Fremont, California, United States ("Assignor"), is the exclusive owner of the following United States and International patent applications listed on the attached Schedule A (the "Patent Applications");


WHEREAS, **TERAXION INC.** a duly constituted corporation having its place of business at 360, Franquet Street, Suite 20, Sainte-Foy, Québec, Canada, G1P 4N3 ("Assignee"), is desirous of obtaining the entire right, title and interest in, to, and under the Patents and any and all United States Letters Patents and Letters Patents of foreign countries that may be or have been issued on the inventions disclosed in the Patent Applications;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns, transfers, and sets over unto Assignee, its successors and assigns, the entire right, title and interest of Assignor in, to and under the Patent Applications and any and all Letters Patent of the United States or foreign countries which may be or have been issued on the inventions disclosed in the Patent Applications including any and all national phase entries of the International Patent Applications, all divisions, reissues and continuations thereof, and all inventions disclosed therein, together with all claims for damages by reason of past or future infringement, with the right to sue for and collect the same for the use and benefit of Assignee and its successors and assigns.

This Patent Assignment is being delivered subject to and pursuant to the terms and conditions of an Asset Purchase Agreement, dated November 26<sup>th</sup>, 2002, entered into by Assignor and Assignee, among others (the "Purchase Agreement"). The rights and obligations of Assignor and Assignee set forth in the representations, warranties, covenants, indemnities, agreements and other terms and provisions of the Purchase Agreement shall be neither limited, altered or impaired nor enhanced or enlarged hereby or by performance hereunder.

IN WITNESS WHEREOF, Assignor has executed and delivered this Assignment on December 2, 2002.

PHAETHON COMMUNICATIONS INC.

By:   
Name: Stanley Speelman  
Title: President and CEO

## READ AND APPROVED

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

at \_\_\_\_\_  
City Country

By: \_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

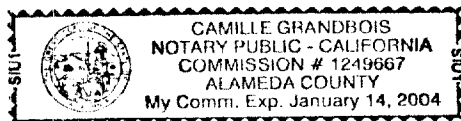
State of California

County of Alameda

On Dec 2, 2002 before me, \_\_\_\_\_  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Stanley Speelman  
Name(s) of Signer(s)

☐ personally known to me – **OR** – ☒ 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.

Camille Grandbois  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## Description of Attached Document

Title or Type of Document: Patent Assignment

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

## Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
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OF SIGNER  
Top of thumb here

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## **SCHEDULE A TO PATENT ASSIGNMENT**

### **US Applications:**

<u>Invention</u>	<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u> (mm/dd/yy)
Efficient Sampled Gratings for WDM applications	US	09/757,386	01/08/01
Manufacturing a Fiber Bragg Grating and a Mask Used in the Fabrication of a Fiber Bragg Grating	US	09/957,443	09/18/01
Lithographic Fabrication of Phase Mask for Fiber Bragg Gratings	US	09/883,081	06/15/01
Fiber Bragg Grating Phase Masks for Multi-Channel Sampling Applications	US	10/056,575	01/23/02
Embodying Amplitude Information into Phase Masks	US	10/154,505	05/24/02
Manufacturing Fiber Bragg Gratings for use in Multiple Channel Systems	US	09/957,690	09/19/01
Grating Writing Systems based on an Acousto-Optic Element	US	09/878,122	06/08/01
Method and Apparatus for Producing Fiber Bragg Gratings using a Telescope	US	09/929,878	08/14/01

<u>Invention</u>	<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u> (mm/dd/yy)
Free-Space Diffraction Measurement of a Phase Mask For Fabrication of a Waveguide Bragg Grating	US	09/870,925	05/30/01
Tuning of Dispersion by Adjusting Transmitter Frequency of Input Optical Signal with a NonLinearly Chirped Fiber Bragg Grating	US	09/756,992	01/08/01
Tunable Optical dispersion By Using Two Fiber Bragg Gratings	US	09/826,294	04/03/01
Chromatic Dispersion Managed Optical Add/Drop MUX	US	09/851,884	05/09/01
Fiber Bragg Grating Stretching Mechanism with integrated thermal solution	US	09/924,784	08/08/01
Optical Fiber Bragg Grating Tuning Device	US	10/062,577	01/30/02
Monitoring of Signal Quality By Nonlinear Transformation	US	09/961,042	09/21/01
Low Cost Wave Plate Emulator For Polarization Control in a Fiber Optic System	US	09/940,183	8/27/01
PMD Compensator Parallel Monitoring and Control Architecture	US	10/134,879	04/29/02

**International applications:**

- 3 -

<u>Title</u>	<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u> (mm/dd/yy)
Efficient Sampled Bragg Gratings for WDM Applications	PCT	PCT/US01/29233	09/19/01
Manufacturing a Fiber Bragg Grating and a Mask used in the Fabrication of a Fiber Bragg Grating	PCT	PCT/US01/29178	09/19/01
Lithographic Fabrication of Phase mask for Fiber Bragg Gratings	PCT	PCT/US02/00241	01/04/02
Optical Fiber Bragg Grating Tuning Device	PCT	PCT/US02/05007	02/01/02
Tunable Optical Dispersion By Using Two Fiber Bragg Gratings with Nonlinear Group Delays	PCT	PCT/US01/29182	09/19/01