

4-8-03

RECORDATION FORM C  
PATENTS ON

04-11-2003



To the Honorable commissioner of Patents and Trademarks:

Please record the attached original documents or copy thereof.

102416248

1. Name of conveying party(ies):  
James Leong  
Douglas P. Doucette  
Scott Schoenthal  
Stephen H. Strange  
Rajesh Sundaram  
Srinivasan Viswanathan

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

3. Nature of conveyance:

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

Execution Date: 07/10/2002; 06/27/2002; 04/07/2003;  
07/10/2002; 07/10/2002 and 03/12/2003 respectively

4. Application number(s) or patent number(s): 1

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

A. Patent Application No.(s): 10/105,079

Additional numbers attached? Yes ☒ No

B. Patent No. (s)

FINANCE SECTION  
APR 10 2003

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

Name: William A. Loginov

Street Address: Cesari and McKenna, LLP  
88 Black Falcon Avenue

City: Boston State: MA Zip: 02210

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 no. 03-1237 (Attach duplicate  
copy of this page if paying by deposit account)

04/10/2003 DDYME 00000157 10105079  
01 FC:0021 40.00

DO NOT USE THIS SPACE

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.*

William A. Loginov, Reg. No. 34,863

Name of Person Signing Signature Date

April 8, 2003

Total number of pages comprising cover sheet: 1

**ASSIGNMENT**

WHEREAS, We, James Leong, Douglas P. Doucette, Scott Schoenthal, Stephen H. Strange, Rajesh Sundaram, and Srinivasan Viswanathan, have invented one or more improvements in:

**Method and Apparatus for Resource Allocation in a RAID System**

described in an application (or provisional application) for Letters Patent of the United States:

☐ identified by Attorney Docket No. NWK-001, and/or executed by us of even date herewith and about to be filed in the United States Patent Office;

☒ Serial No. 10/105,079 filed in the United States Patent Office on March 21, 2002; and

WHEREAS, Network Appliance, Inc. (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, and having a usual place of business at 495 East Java Drive, Sunnyvale, California 94089, desires to acquire an interest therein, in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns, and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to the inventions described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon or claim priority under international convention, including but not limited to continuations, divisionals, reissues, and reexaminations of said application or such Letters Patent; said inventions, applications and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all of our rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said inventions, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all Letters Patent to ASSIGNEE for its own name as assignee of our entire right, title and interest therein.

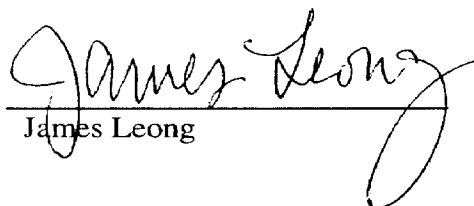
AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns, and legal representatives, but at its or their expense and charges, including: the execution of applications for patents in foreign countries; the execution of substitution, reissue, divisional or continuation applications; and preliminary or other statements or the giving of testimony in any interference or other proceeding in which said inventions or any application or patent directed thereto may be involved; and

we further hereby authorize ASSIGNEE or its attorneys or agents to insert the correct serial number and filing date into this assignment, if none is indicated on that date of our execution of this assignment;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

*IN TESTIMONY WHEREOF*, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor:

  
James Leong

State of California

)

County of

) ss

Subscribed and sworn to before me, by the above-named James Leong, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

\_\_\_\_\_  
Douglas P. Doucette

State of California

)

County of

) ss

Subscribed and sworn to before me, by the above-named Douglas P. Doucette, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

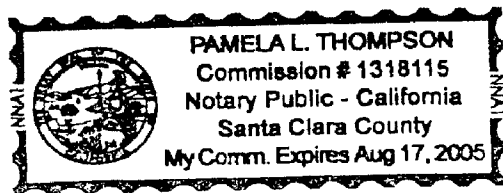
County of Santa Clara } ss.

On July 10, 2002, before me, Pamela L. Thompson  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared James Leong  
Name(s) of Signer(s)

☐ personally known to me  
☒ 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.



Place Notary Seal Above

WITNESS my hand and official seal.

Pamela L. Thompson  
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: \_\_\_\_\_

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

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

### Capacity(ies) Claimed by Signer

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

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

Date:

4/7/03  
SAS

Inventor:

Scott Schoenthal  
Scott Schoenthal  
SAS

State of Washington

)

County of

) ss

Subscribed and sworn to before me, by the above-named Scott Schoenthal, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

Stephen H. Strange  
Stephen H. Strange

State of California

)

County of

) ss

Subscribed and sworn to before me, by the above-named Stephen H. Strange, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Inventor:

Rajesh Sundaram  
Rajesh Sundaram

State of California

)

County of

) ss

Subscribed and sworn to before me, by the above-named Rajesh Sundaram, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

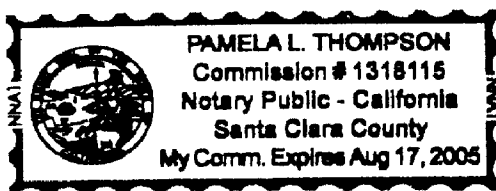
County of Santa Clara } ss.

On July 10, 2002, before me, Pamela L. Thompson, Notary Public,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Stephen H. Strange,  
Name(s) of Signer(s)

☐ personally known to me  
☒ 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.



Place Notary Seal Above

WITNESS my hand and official seal.

Pamela L. Thompson  
Signature of Notary Public

## OPTIONAL

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

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

### RIGHT THUMBPRINT OF SIGNER

Top of thumb here

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara } ss.

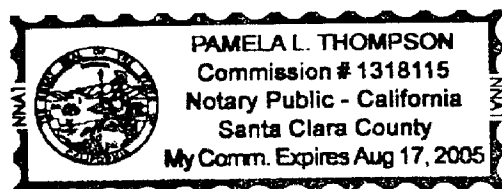
On July 10, 2002, before me, PAMELA L. THOMPSON, Notary Public,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Rajesh Sunaram,  
Name(s) of Signer(s)

personally known to me

☒ 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.



Place Notary Seal Above

WITNESS my hand and official seal.

Pamela L. Thompson  
Signature of Notary Public

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☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Srinivasan Viswanathan

) SS

\_\_\_\_\_ day of \_\_\_\_\_, 2002.

My Commission Expires: \_\_\_\_\_

2353248\_1



**ASSIGNMENT**

WHEREAS, We, James Leong, Douglas P. Doucette, Scott Schoenthal, Stephen H. Strange, Rajesh Sundaram, and Srinivasan Viswanathan, have invented one or more improvements in:

**Method and Apparatus for Resource Allocation in a RAID System**

described in an application (or provisional application) for Letters Patent of the United States:

☐ identified by Attorney Docket No. NWK-001, and/or executed by us of even date herewith and about to be filed in the United States Patent Office;

☒ Serial No. 10/105,079 filed in the United States Patent Office on March 21, 2002; and

WHEREAS, Network Appliance, Inc. (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, and having a usual place of business at 495 East Java Drive, Sunnyvale, California 94089, desires to acquire an interest therein, in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns, and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to the inventions described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon or claim priority under international convention, including but not limited to continuations, divisionals, reissues, and reexaminations of said application or such Letters Patent; said inventions, applications and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all of our rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said inventions, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all Letters Patent to ASSIGNEE for its own name as assignee of our entire right, title and interest therein.

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns, and legal representatives, but at its or their expense and charges, including: the execution of applications for patents in foreign countries; the execution of substitution, reissue, divisional or continuation applications; and preliminary or other statements or the giving of testimony in any interference or other proceeding in which said inventions or any application or patent directed thereto may be involved; and

we further hereby authorize ASSIGNEE or its attorneys or agents to insert the correct serial number and filing date into this assignment, if none is indicated on that date of our execution of this assignment;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

**IN TESTIMONY WHEREOF**, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor: \_\_\_\_\_  
James Leong

State of California )  
County of ) ss

Subscribed and sworn to before me, by the above-named James Leong, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

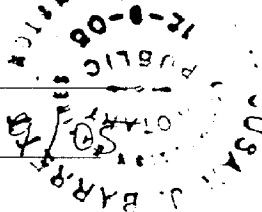
\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Inventor: \_\_\_\_\_  
Douglas P. Doucette

State of Washington )  
County of Island ) ss

Subscribed and sworn to before me, by the above-named Douglas P. Doucette, this 27<sup>th</sup> day of June, 2002.

\_\_\_\_\_  
Notary Public  
My Commission Expires: 12/9/05



Inventor: \_\_\_\_\_  
Scott Schoenthal

State of California )  
County of ) ss

Subscribed and sworn to before me, by the above-named Scott Schoenthal, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Inventor: \_\_\_\_\_  
Stephen H. Strange

State of California )  
County of ) ss

Subscribed and sworn to before me, by the above-named Stephen H. Strange, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Inventor: \_\_\_\_\_  
Rajesh Sundaram

State of California )  
County of ) ss

Subscribed and sworn to before me, by the above-named Rajesh Sundaram, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Inventor: Srinivasan Viswanathan

**State of California** )  
**County of** ) ss

Subscribed and sworn to before me, by the above-named Srinivasan Viswanathan, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

Notary Public  
My Commission Expires: \_\_\_\_\_

2353248\_1

**ASSIGNMENT**

WHEREAS, We, James Leong, Douglas P. Doucette, Scott Schoenthal, Stephen H. Strange, Rajesh Sundaram, and Srinivasan Viswanathan, have invented one or more improvements in:

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described in an application (or provisional application) for Letters Patent of the United States:

☐ identified by Attorney Docket No. NWK-001, and/or executed by us of even date herewith and about to be filed in the United States Patent Office;

☒ Serial No. 10/105,079 filed in the United States Patent Office on March 21, 2002; and

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NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns, and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to the inventions described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon or claim priority under international convention, including but not limited to continuations, divisionals, reissues, and reexaminations of said application or such Letters Patent; said inventions, applications and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all of our rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said inventions, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all Letters Patent to ASSIGNEE for its own name as assignee of our entire right, title and interest therein.

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AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

Inventor: James Leong

Inventor: Douglas P. Doucette

Notary Public  
My Commission Expires: \_\_\_\_\_

Inventor: \_\_\_\_\_  
Scott Schoenthal

State of Washington )  
County of ) ss

Subscribed and sworn to before me, by the above-named Scott Schoenthal, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Inventor: \_\_\_\_\_  
Stephen H. Strange

State of California )  
County of ) ss

Subscribed and sworn to before me, by the above-named Stephen H. Strange, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Inventor: \_\_\_\_\_  
Rajesh Sundaram

State of California )  
County of ) ss

Subscribed and sworn to before me, by the above-named Rajesh Sundaram, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Date:

03/12/2003 *WJ*

Inventor:

*V. Srinivasan*

Srinivasan Viswanathan

State of California )

County of ) ss

Subscribed and sworn to before me, by the above-named Srinivasan Viswanathan, this

\_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

2353248\_1