

06-23-2003



To the Honorable Commissioner of Patents

102479542

attached original documents or copy thereof.

1. Name of conveying part(ies):

David J. DiGiovanni

Andrew D. Yablon

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

2. Name and address of receiving party(ies)

Name: Fitel USA Corp.

Street Address: 2000 Northeast Expressway  
Norcross, GA 30071

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



3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other:

Execution Date: 06/12/02;06/13/03

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:

A. Patent application No.(s) B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Peter V. D. Wilde, Esq.  
Thomas, Kayden, Horstemeyer & Risley  
100 Galleria Parkway  
Suite 1750  
Atlanta, Georgia 30339

6. Total number of applications/patents involved: [ 1 ]

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit Account Number: 50-2074

(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.

Peter V. D. Wilde

Name of Person Signing

Signature

JUN 13 2003

Date

Lucent #:

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

## ASSIGNMENT AND AGREEMENT

For value received, we, David J. DiGiovanni of Montclair, Essex County, New Jersey, and Andrew D. Yablon of Livingston, Essex County, New Jersey hereby sell, assign and transfer to Fitel USA Corp., a corporation of the State of Delaware, having an office at 2000 Northeast Expressway, Norcross, Georgia, 30071, U.S.A. and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **CLADDING PUMPED OPTICAL FIBER GAIN DEVICES** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Fitel USA Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Fitel USA Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Fitel USA Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Fitel USA Corp. in the United States and in all countries foreign to the United States, or to such nominees as Fitel USA Corp. may designate.

We agree that, when requested, we shall, without charge to Fitel USA Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

  
\_\_\_\_\_  
David J. DiGiovanni

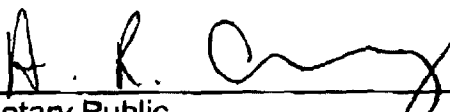
Date: 6/12/03

United States of America )

State of New Jersey ) ss.:

County of Union )

On this 12 day of June, 2003, before me personally came David J. DiGiovanni to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

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

**AVA R. CRUZ**  
**NOTARY PUBLIC OF NEW JERSEY**  
**Commission Expires 12/27/2006**



Andrew D. Yablon  
Andrew D. Yablon

Date: June 13, 2003

United States of America )  
State of New Jersey, ss.:  
County of Union )

On this 13 day of June, 2003, before me personally came Andrew D. Yablon to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

A. R. Cruz  
Notary Public



**AVA R. CRUZ**  
**NOTARY PUBLIC OF NEW JERSEY**  
**Commission Expires 12/27/2004**

Fitel USA Corp.  
Docket Administrator (Room F020)  
2000 Northeast Expressway  
Norcross, GA 30071