

12-19-2003  
102627625

PTO-1595 1-31-92 Docket No. 895,080-016 U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

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1. Name of conveying party(ies): 12-12-03  
Bruce Gregory Warren, William Goodwin, Carl Mies, Bruce E. Johnson, Michael L. White, Warren Eng  
Additional name(s) of conveying party(ies) attached?  
 Yes  No

2. Name and address of receiving party:  
Name: VIXEL CORPORATION  
Street Address: 11911 Northcreek Parkway South  
City: Bothell State: Washington Zip: 98011  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other  
Execution Date: October 6, 2003

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: October 6, 2003

A. Patent Application No(s): 10/616,862 B. Patent No(s):  
Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: David B. Murphy  
Internal Address: O'MELVENY & MYERS LLP  
114 Pacifica, Suite 100  
Irvine, California 92618

6. Total number of applications and patents involved: 1  
7. Total fee (37 CFR 3.41): \$ 40.00  
 Enclosed  
 Charge this Deposit Account for all fees required in connection with this Assignment  
8. Deposit Account Number: 502862

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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 B. Murphy Date: 12/8/03  
David B. Murphy, Reg No. 31,125

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:  
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12/18/2003 LHMELLER 00000139 502862 10616862

01 FC:8021 40.00 PA CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit Dec 9, 2003 Denise N. Doss  
IR1:1050330.1

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, BRUCE GREGORY WARREN, a citizen of the United States, residing at 22273 Clear Creek Road, N.W., Poulsbo, Washington 98370, WILLIAM GOODWIN, a citizen of the United States, residing at 3328 200<sup>th</sup> Place, S.E., Bothell, Washington, 98012, CARL MIES, a citizen of the United States, residing at 15209 Broadway, Snohomish, Washington 98296, BRUCE E. JOHNSON, a citizen of the United States, residing at 1445 SW 296<sup>th</sup> Federal Way, Washington 98023, MICHAEL L. WHITE, a citizen of the United States, residing at 2726 Laurel Lane, Oak Harbor, Washington, 98277, and WARREN ENG, a citizen of the United States, residing at 1820 Elma Avenue, N.E., Renton, Washington 98059, (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled METHODS AND APPARATUS FOR DEVICE FAIRNESS IN FIBRE CHANNEL ARBITRATED LOOP SYSTEMS for which application for Letters Patent of the United States of America has been filed on July 10, 2003, assigned Serial No. 10/616,862; and

WHEREAS, **VIXEL CORPORATION**, a corporation organized and existing under and by virtue of the laws of the State of Delaware, having an established place of business at 11911 Northcreek Parkway South, Bothell, Washington 98011 (hereinafter referred to as "Assignee"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any patent or similar legal protection to be obtained therefore in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said

application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Bothell, Washington,  
this 6th day of October, 2003.

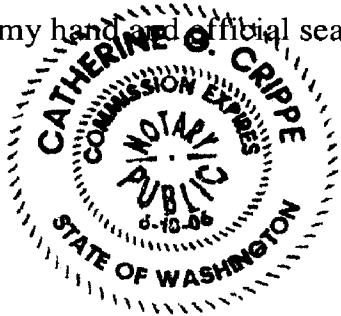
William P Goodwin  
WILLIAM GOODWIN

STATE OF Washington )  
COUNTY OF King ) ss  
)

On Oct 6, 2003 before me, William P. Goodwin personally appeared

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.



Catherine G. Crippe  
Notary Public in and for said County and State

WITNESS my hand at Bothell, Washington,  
this 6th day of October, 2003.

W Eng  
WARREN ENG

STATE OF Washington )  
COUNTY OF King ) ss

On Oct 6, 2003 before me, Warren Eng, personally appeared

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.



Catherine G. Crippé  
Notary Public in and for said County and State

WITNESS my hand at Bothell, Washington,  
this 11th day of October, 2003.

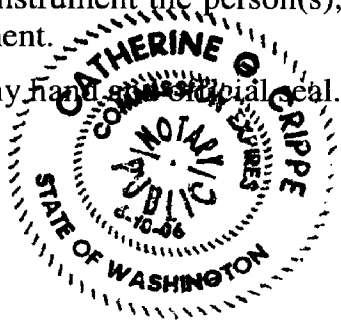
Bruce G Warren  
BRUCE GREGORY WARREN

STATE OF Washington )  
COUNTY OF King ) ss

On Oct 6, 2003 before me, Bruce G. Warren, personally appeared

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.



Catherine Grippa  
Notary Public in and for said County and State

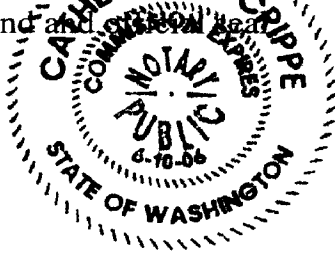
WITNESS my hand at Bothell, Washington,  
this 6th day of October, 2003.

Carl Mies  
CARL MIES

STATE OF Washington )  
COUNTY OF King ) ss

On Oct 6, 2003 before me, Carl Mies, personally appeared

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 seal  


Catherine G. Crippé  
Notary Public in and for said County and State

WITNESS my hand at Bothell, Washington,  
this 5th day of October, 2003.

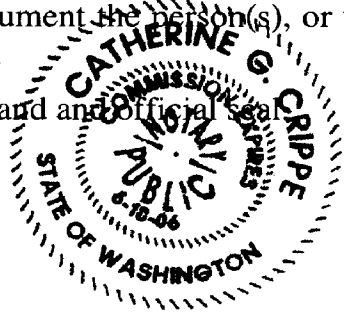
Bruce E Johnson  
BRUCE E. JOHNSON

STATE OF Washington )  
COUNTY OF King ) ss

On Oct 5, 2003 before me, Bruce E. Johnson, personally appeared

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



Catherine G. Crippe  
Notary Public in and for said County and State



WITNESS my hand at Bothell, Washington,  
this 14th day of October, 2003.

Michael L. White  
MICHAEL L. WHITE

STATE OF Washington )  
COUNTY OF King ) ss

On Oct 6, 2003 before me, Michael L. White, personally appeared

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:



Catherine G. Crippé  
Notary Public in and for said County and State