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PATENTS ONLY

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FORM PTO-1595 (Rev. 10/02)

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

Docket No.: 50212-538

To the Honorable Commissioner for Patents and Trademarks: Please record the attached original documents or copy thereto:

1. Name of Conveying Party(ies): Masakazu SHIGEHARA, Masaki OHMURA
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies):
Name: SUMITOMO ELECTRIC INDUSTRIES, LTD.
Address: 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, Osaka 541-0041 Japan
Additional name(s) & address(es) attached? Yes No

3. Nature of Conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other
Execution Date: September 16, September 16, 2003

4. Application number(s) or patent number(s):
If the document is being filed together with a new application, the execution date of the application is:
A. Patent Application No(s): 10/665,357, filed September 22, 2003
B. Patent No(s):
Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: MCDERMOTT, WILL & EMERY
Internal Address:
Street Address: 600 13th Street, N.W.
City: Washington State: D. C. Zip: 20005-3096

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 number: 500417

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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.

Gene Z. Rubinson, 33,351

January 9, 2004

Name and Registration No. of Person Signing

Signature

Date

Total number of pages including cover sheet: 2

OMB No. 0651-0027 (exp. 6/30/2005)

01/13/2004 DBYRNE 00000175 500417 10665357

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ASSIGNMENT

Whereas, I/we,

NameAddress

c/o Yokohama Works of Sumitomo Electric Industries, Ltd.,

1) **Masakazu SHIGEHARA**1, Taya-cho, Sakae-ku,
Yokohama-shi, Kanagawa 244-8588 Japan

c/o Yokohama Works of Sumitomo Electric Industries, Ltd.,

2) **Masaki OHMURA**1, Taya-cho, Sakae-ku,
Yokohama-shi, Kanagawa 244-8588 Japan

hereinafter called assignor(s), have invented certain improvements in
Gain Equalizer and Optical Amplification Apparatus

and executed an application for Letters Patent of the United States of America therefor on even date herewith unless otherwise indicated below:

filed on _____, Serial No. _____; and

Whereas

SUMITOMO ELECTRIC INDUSTRIES, LTD.
5-33, Kitahama 4-chome, Chuo-ku,
Osaka-shi, Osaka 541-0041 Japan

(assignee), desires to acquire the entire right, title and interest in the application and invention, and to any United States patents to be obtained therefor;

NOW THEREFORE, be it known that, for good and valuable consideration from assignee, the receipt of which is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with assignee, its successors and assigns, any facts known to ME/US respecting this invention and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors and assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

INVENTORSDATE SIGNED

1): *Masakazu Shigehara*
Name: Masakazu SHIGEHARA

Sep. 16. 2003

2): *Masaki Ohmura*
Name: Masaki OHMURA

Sep. 16, 2003

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. § 261)