

Form PTO 1585

01-30-2004

SHEET

U.S. Department of Commerce
Patent and Trademark Office



102658076

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

1. Name of conveying party(ies): 1-26-04
Walter HEITMANN

Additional name(s) of conveying parties attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other:

Execution date: **December 22, 2003**

2. Name and address of receiving party(ies)
Name: **Deutsche Telekom AG**
Internal Address: **Friedrich-Ebert-Allee 140**
53113 Bonn
Federal Republic of Germany

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

4. Application numbers or patent numbers:

A. U. S. Serial No.: 10/474,073 filed October 3, 2003

B. Patent No.(s)

Additional Numbers attached? Yes No

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

Name: Richard L. Mayer
Internal Address: KENYON & KENYON
Street Address: One Broadway
City: New York State: New York ZIP: 10004

6. Total number of applications and patents involved: **1**

7. Total fee (37 C.F.R. 3.41) \$ **40.00**
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
11-0600 (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.

Richard L. Mayer (Reg. No. 22,490)
Name of Person Signing

[Signature] Signature 1/22/04 Date
By: Just Study
Reg. No. 47084

Total Number of pages including cover sheet: **4**

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

01/29/2004 DBYRNE 00000038 110600 10474073
01 FC:8021 40.00 DA

ASSIGNMENT

WHEREAS, I,

Walter HEITMANN
Freiherr-vom-Stein-Strasse 41
D-64401 Gross-Bieberau
Federal Republic of Germany
Citizenship: German

have made new and useful inventions and discoveries in **PHOTONIC CRYSTALS**, the specification of which was filed as International Application Number PCT/EP02/03365 on March 26, 2002, and filed as U.S. application on October 3, 2003 having U.S. Serial No. 10/474,073 for Letters Patent in the U.S.P.T.O.; and

WHEREAS Deutsche Telekom AG, having a place of business at **Friedrich-Ebert-Allee 140, D-53113 Bonn, Federal Republic of Germany**, and who, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited,

NOW, THEREFORE, for valuable consideration furnished by Assignee to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries, including all divisional, renewal, substitute, and continuation applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in my name or in the name of Assignee or otherwise as Assignee may deem advisable, under an International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that I have not conveyed to others any right, title, or interest in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; that I have good right to assign the same to Assignee without encumbrance; and that I am aware of no claim to the contrary.

5. Bind my heirs, legal representatives, and assigns, as well as myself, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to me or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by me, my heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to me relating to said inventions and discoveries or the history thereof; to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of my heirs, legal representatives, or assigns which may be useful for establishing the facts of my conceptions, disclosures, and reduction to practice of said inventions and discoveries; and to testify to the same in any interference, arbitration, or litigation.

[2345/197]

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of
12/22, 2003.

A handwritten signature in cursive script, appearing to read "Walter Heitmann", written over a horizontal line.

Walter HEITMANN