

02-09-2004



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To the Director of the United States Patent and Trademark Office, please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
David Y. Wang
2-5-04
Additional names(s) of conveying party(ies) Yes No

2. Name and address of receiving party(ies):
Name: **THERMA-WAVE, INC.**
Internal Address: **1250 Reliance Way**
Street Address: **1250 Reliance Way**
City: **Fremont** State: **CA** ZIP: **94539**
Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other
Execution Date: **October 31, 2003**

4. Application number(s) or patent numbers(s):
If this document is being filed together with a new application, the execution date of the application is:
A. Patent Application No.(s)
10/695,007
Additional numbers attached? Yes No

B. Patent No.(s)
OPR/FINANCE
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5. Name and address of party to whom correspondence concerning document should be mailed:
Name: **STALLMAN & POLLOCK LLP**
Internal Address: **Attn: Michael A. Stallman**
Street Address: **121 Spear Street, Suite 290**
02/06/2004 MSGETACHE 00000017 10695007
01 FC:8021 40.00 DP
City: **San Francisco** State: **CA** ZIP: **94105**

6. Total number of applications and patents involved: **1**
7. Total fee (37 CFR 3.41):.....\$ **40.00**
 Enclosed - Any excess or insufficiency should be credited or debited to deposit account
 Authorized to be charged to deposit account
8. Deposit account number:
50-1703
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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.
Michael A. Stallman (Reg. No. 29,444) **February 3, 2004**
Name of Person Signing Signature Date
Total number of pages including cover sheet, attachments, and document: **2**

ASSIGNMENT

WHEREAS, I, David Y. Wang, hereinafter referred to as "ASSIGNORS", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: FOCUSING OPTICS FOR SMALL SPOT OPTICAL METROLOGY

Application (Declaration/Oath) Execution Date: October 31, 2004

Filing Date: October 28, 2003 Application No.: 10/695,007

WHEREAS, THERMA-WAVE, INC., a corporation of the State of Delaware, 1250 Reliance Way, Fremont, California 94539 hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignors had this assignment and transfer not been made, to the full end and term of any such Letters Patent.

Assignors further agree that they will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Stallman & Pollock LLP, 121 Spear Street, Suite 290, San Francisco, California 94105, to insert herein above the application number and filing date of said application when known.

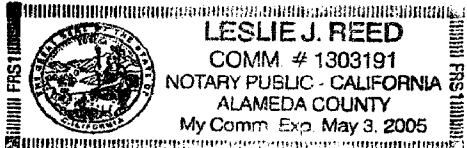
IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: 10/31/03 David Y. Wang
David Y. Wang

State of California
County of Alameda

On October 31, 2003 before me, Leslie J. Reed, Notary
personally appeared DAVID WANG 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.
Leslie J. Reed
Signature of Notary



SEAL