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COVER SHEET

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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):

Kenneth C. Johnson

2. Name and address of receiving party(ies):

Name: THERMA-WAVE, INC.

Internal Address: 1250 Reliance Way

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Street Address: 1250 Reliance Way

City: Fremont

State: CA

ZIP: 94539

Execution Date: February 4, 2004

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

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)

10/764,792

B. Patent No.(s)

MAY 24 AM 7:22
OPR/FINANCEAdditional numbers attached? ☐ Yes ☒ No

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: 353 Sacramento Street, Suite 2200

05/25/2004 MGETACHE 00000008 10764792

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40.00 DP

City: San Francisco

State: CA

ZIP: 94111

6. Total number of applications and patents involved:

1

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

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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)

Name of Person Signing

Signature

May 17, 2004

Date

2

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PATENT

REEL: 015362 FRAME: 0588

ASSIGNMENT

WHEREAS, I, Kenneth C. Johnson, 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: CD METROLOGY METHOD

Application (Declaration/Oath) Execution Date: Feb 4 2004

Filing Date: Jan 26 2004 Application No.: 10/764,792

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: Feb 4 2004


Kenneth C. Johnson