

ASSIGNMENT RECORDATION FORM COVER SHEET Patents Only

To: Commissioner for Patents:

Date: November 22, 2004
Attorney Docket No. 5308-392

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- [1] Scott Sheppard
[2] Richard Peter Smith

Additional name(s) of conveying party(ies) attached? Yes X No

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

Cree, Inc.
4600 Silicon Drive
Durham, North Carolina

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

3. Nature of conveyance:

- X Assignment
Merger
Security Agreement
Change of Name
Other

Execution Date:

[1] October 28, 2004; [2] October 28, 2004;

4. Application Serial No. 10/897,726 Patent No.

If this document is being filed together with a new application, the execution date of the application is:

Additional numbers attached? Yes X No

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

Timothy J. O'Sullivan
Myers Bigel Sibley & Sajovec
P. O. Box 37428
Raleigh NC 27627

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00
Enclosed
X Authorized to be charged to deposit account

8. Deposit account number: 50-0220

DO NOT USE THIS SPACE

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.

Timothy J. O'Sullivan, #35,632
Name of Person Signing

[Handwritten Signature]

November 22, 2004
Date

Total number of pages including cover sheet and assignment document: 4

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office via facsimile number 703-306-5995 on November 22, 2004.

[Handwritten Signature]
Traci A. Brown

CH \$40.00 500220 10897726

Attorney Docket No. 5308-392

ASSIGNMENT

THIS ASSIGNMENT, made by us, **Scott Sheppard**, citizen of the United States of America, residing at 101 Autumn Lane, Chapel Hill, North Carolina 27516; and **Richard Peter Smith**, a citizen of the United States of America, residing at 242 Sweet Bay Place, Carrboro, North Carolina 27510;

WITNESSETH: That,

WHEREAS, we are joint inventors of certain new and useful improvements in **METHODS OF FABRICATING NITRIDE-BASED TRANSISTORS WITH A CAP LAYER AND A RECESSED GATE**, for which an application was filed in the United States Patent and Trademark Office on July 23, 2004 and has been assigned Application No. 10/897,726; and

WHEREAS, Cree, Inc., a North Carolina corporation having a principal place of business at 4600 Silicon Drive, Durham, County of Durham, State of North Carolina, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

Attorney Docket No. 5308-392

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 28th day of October, 2007.

Richard Peter Smith (SEAL)
Richard Peter Smith

STATE OF NORTH CAROLINA)
) ss:
COUNTY OF Durham)

Before me personally appeared the person described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same for the purposes therein stated, this 28th day of October, 2007.

Melissa C. Saunders
Notary Public



My Commission Expires: October 31, 2007