

09-09-2004

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To: Honorable Commissioner of Patents and Trademarks:

Please record the attached original document or copy thereof.

1. Names of conveying parties:

a) Yen-Hao Shih

2. Name and address of receiving party:

a) Name: Macronix International Co, Ltd.

b) Address: No. 16, Li-Hsin Road, Science-Based Industrial Park, Hsinchu, Taiwan, R.O.C.

9-7-04

3. Nature of conveyance

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name
- License Agreement

Execution Dates: a) 8/26/04

4. Application Number: 10/831,431

The title of the new application is: QUANTUM-WELL MEMORY DEVICE AND METHOD FOR MAKING THE SAME

5. Please send all correspondence concerning this document to:

Albert S. Penilla, Esq.  
 MARTINE & PENILLA, LLP  
 710 Lakeway Drive, Suite 170  
 Sunnyvale, CA 94085  
**Customer No. 25920**  
 Tel. No. (408) 749-6903  
 Fax No.: (408) 749-6901

09/07/2004 10:15


6. Total number of applications and patents involved: 1

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

- Enclosed
- Any deficiency is authorized to be charged to Deposit Account No. 50-0805 (Order No. MXICP018)

8. 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.

Date: September 3, 2004

  
 Albert S. Penilla, Esq.  
 Registration No. 39,487

Attorney Docket No. MXICP018

(Revised 01/96)

09/08/2004 MGETACHE 00000062 10831431

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**ASSIGNMENT OF PATENT APPLICATION**  
(Accompanying Application)

Whereas I/we the undersigned inventor(s) have invented certain new and useful improvements as set forth in the patent application entitled:

**QUANTUM-WELL-MEMORY DEVICE AND METHOD FOR MAKING THE SAME**

(Atty. Docket No. MXICP018) for which I/we have executed an application for a United States Letters Patent.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned inventor(s) hereby:

- 1) Sell, assign and transfer to Macronix International Co., Ltd., a Taiwanese corporation having a place of business at No. 16, Li-Hsin Road, Science-Based Industrial Park, Hsinchu, Taiwan, R.O.C., (hereinafter referred to as "ASSIGNEE"), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (including foreign patents) granted upon the information which is disclosed in the above referenced application.
- 2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any divisions, continuations, substitutes or reissues thereof to the ASSIGNEE.
- 3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative and applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.
- 4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventor, as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that I/we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date indicated beside my/our signature(s).

1) Signature: Yen-Hao Shih Date: Aug. 26, 2004  
Typed Name: Yen-Hao Shih

Atty. Docket No. MXICP018