

RECORDATION
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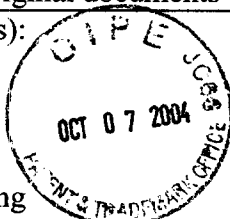
10-14-2004

To the Honorable commissioner of Patents and Trademark
Please record the attached original documents or



1. Name of conveying party(ies):

Bruce W. Leverett



Additional name(s) of conveying

party(ies) attached? _____ Yes _____ No

102858435 receiving party(ies):

Name: Network Appliance, Inc

Street Address: 495 East Java Drive

City: Sunnyvale

State: CA

Zip: 94089

10/7/04

Additional name(s) & address(es)

Attached? _____ Yes _____ No

3. Nature of conveyance:

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

Execution Date: October 6, 2004

4. Application number(s) or patent number(s):

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

A. Patent Application No.(s) 10/858,169

B. Patent No. (s)

Additional numbers attached? _____ Yes ☒ No

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

Name: Duane H. Dreger

Street Address: Cesari and McKenna, LLP
88 Black Falcon Avenue

City: Boston State: MA Zip: 02210

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

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

☒ Enclosed

☐ Authorized to be charged to deposit Account

8. Deposit account no. 03-1237 (Attach duplicate copy of this page if paying by deposit account)

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.

Duane H. Dreger, Reg. No. 48,836

Duane H. Dreger

October 7, 2004

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet:

10/14/2004 FEECHGRN 00000015 102858169

40.00 DP

PATENT
REEL: 015872 FRAME: 0372

ASSIGNMENT

Whereas I, Bruce W. Leverett, whose residence address is 759 Lebanon Avenue, Pittsburgh, PA 15228, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled **TECHNIQUE FOR ACCELERATING LOG REPLAY WITH PARTIAL CACHE FLUSH**, identified by Cesari and McKenna File No. 112056-0190, the specification of which was filed on June 1, 2004, and accorded Serial Number Not yet assigned; and

Whereas Network Appliance, Inc., whose address is 495 East Java Drive, Sunnyvale, CA 94089, and which, 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 reservation:

1. Assign, transfer, and convey to Assignee my 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 in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, 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 on 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 the 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 knowingly conveyed to others any right 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; and that I have good right to assign the same to Assignee without encumbrance;
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; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in my 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.

In testimony of which I have executed this Assignment as an instrument under seal on the date indicated next to my name.

October 6, 2004
Date

Bruce W. Leverett
Bruce W. Leverett, Inventor

Commonwealth of Pennsylvania)
County of Allegheny)ss.

On this 6 day of October, 2004, before me appeared Bruce W. Leverett, to me known and known to me to be the person described in and who executed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Geraldine Joyce Crivelli
Notary Public

[seal]

Notarial Seal
Geraldine Joyce Crivelli, Notary Public
O'Hara Twp., Allegheny County
My Commission Expires Feb. 26, 2005
Member, Pennsylvania Association of Notaries