

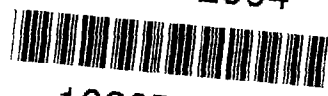
11/8/04

Docket No.: 63564-099 (ACCL-138)

FORM PTO-1595 (Modified)
(Rev. 03-01)
OMB No. 0651-0027 (exp.5/31/2002)
P08/REV03

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Tab settings

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

1. Name of conveying party(ies):
Michael Saracen
Jay West

Additional names(s) of conveying party(ies) Yes No

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

Name: **Accuray, Inc.**

Internal Address: _____

Street Address: **1310 Chesapeake Terrace**

City: **Sunnyvale** State: **CA** ZIP: **94089**

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

3. Nature of conveyance:

Assignment Merger

Security Agreement Change of Name

Other _____

Execution Date: **08/12/04**

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)

10/881,595

Additional numbers attached? Yes No

B. Patent No.(s)

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

Name: **Mark G. Lappin**

Internal Address: **McDermott Will & Emery LLP**

11/09/2004 BTOM11 00000068 501133 10881595

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Street Address: **28 State Street**

City: **Boston** State: **MA** ZIP: **02109**

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

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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.

Elizabeth E. Kim, Reg. No. 43,334 **Elizabeth E. Kim** **November 5, 2004**

Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: **6**

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PATENT
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ASSIGNMENT OF PATENT RIGHTS

We, **Michael Saracen**, of 3978 Lyman Road, Oakland, CA 94602, and **Jay West**, of 214 Central Ave., Mountain View, CA 94043, respectively, for good and valuable consideration paid to us by

ACCURAY, INC.

a California corporation having a principal place of business at 1310 Chesapeake Terrace, Sunnyvale, CA 94089, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

ACCURAY, INC.

its successors and assigns, our entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

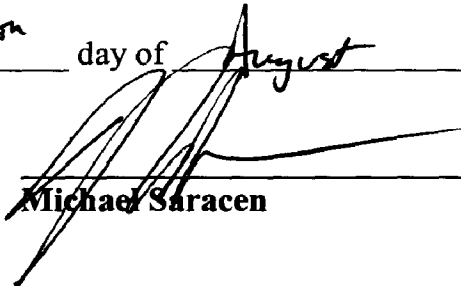
TREATMENT TARGET POSITIONING SYSTEM

described in United States non-provisional patent application Serial No. 10/881,595, filed on June 30, 2004 (authorizing our attorney(s), who are authorized to prosecute said application, to here insert the serial number of said application, when known), and all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or any non-provisional, divisional, continuing, reissue or other applications based in whole or in part on said provisional and non-provisional application(s).

And we agree for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.


WITNESS my hand and seal this 12th day of August, 2004.



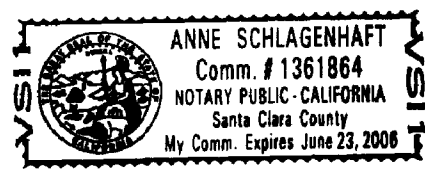
Michael Saracen

State of California)
County of Santa Clara) ss

Then personally appeared the above named Michael Saracen and acknowledged the foregoing instrument to be his free act and deed, before me, this 12th day of August, 2004.



Notary Public
My commission expires: 6/23/06
Seal



WITNESS my hand and seal this 12th day of August, 2004.

J West
Jay West

State of California)
County of Santa Clara) ss

Then personally appeared the above named Jay West and acknowledged the foregoing instrument to be his free act and deed, before me, this 12th day of August, 2004.

Anne Schlagenhaft
Notary Public
My commission expires: 6/23/06
Seal

