

11-24-2004

U.S. DEPARTMENT OF COMMERCE
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102888743

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Steven Rodrigues
Ratnesh Gupta

Execution Date(s) 11/17/2004

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Network Appliance, Inc.

Internal Address: _____

Street Address: 495 E. Java Drive

City: Sunnyvale

State: CA

Country: USA Zip: 94089

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

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/980,143

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Arnold M. de Guzman

Internal Address: De Guzman & Associates, PC

Street Address: 5276 Hollister Avenue #160

City: Santa Barbara

State: CA Zip: 93111

Phone Number: 805-681-5078

Fax Number: 805-681-5076

Email Address: arnold@dcpatentlaw.com

6. Total number of applications and patents involved:

01

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____
b. Deposit Account Number _____
Authorized User Name _____

9. Signature:

Signature

11/19/2004

Date

Arnold M. de Guzman Reg. No. 39,955

Total number of pages including cover sheet, attachments, and documents:

07

11/23/2004 BYRNE 00000126 10980143 Name of Person Signing

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

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ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred herein as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to **Network Appliance, Inc.**, a **Delaware** corporation, having a place of business at **495 East Java Drive, Sunnyvale, CA. 94089**, ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the following:

1. The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the provisional application filed under 35 U.S.C. §111(b) or non-provisional application filed under 35 U.S.C. §111(a) and entitled **APPARATUS AND METHOD FOR RECOVERING DESTROYED DATA VOLUMES** ("APPLICATION"), which:

☐ is to be filed herewith

☒ was filed on November 1, 2004

now bearing U.S. serial number 10/980,143; and

2. The entire worldwide right, title, and interest in and to:
 (a) the APPLICATION; (b) all applications claiming priority from the APPLICATION;
 (c) all divisional, continuation, substitute, renewal, reissue, and other related applications thereto which have been or may be filed in the United States or elsewhere in the world;
 (d) all patents (including reissues and re-examinations) which may be granted on the applications set forth in (a), (b), (c) and (d) above; and (e) all right of priority in the APPLICATION, together with all rights to recover damages for infringement of provisional rights.

INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all assignments, oaths, powers of attorney, applications, and other papers (and/or documents) necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.


INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has not made and will not hereafter make any assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.


INVENTOR grants the attorney(s) of record the power to insert on this Assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Title of Document: ASSIGNMENT

Re: .
Title: APPARATUS AND METHOD FOR RECOVERING DESTROYED DATA
VOLUMES
Filed: (if applicable) November 1, 2004
Atty. Docket No.: 10020.001100 (P01-1849)
Serial No.: (if applicable) 10/980,143

This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
 Steven Rodrigues	<u>17 November 2004</u>	<u>October 29, 2004</u>

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
 Ratnesh Gupta	<u>17 November 2004</u>	<u>October 29, 2004</u>