

09-12-2005



103078173

FORM PTO-1595 (Rev. 10/02) OMD No. 0651-0011 (exp. 6/30/2005) Rec

DEPARTMENT OF COMMERCE Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): CHENG-PING TAN; CON D. PHAN; FARIS R. HINDI

2. Name and address of receiving party(ies): Name: Network Appliance, Inc.

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

Internal Address: Street Address: 495 East Java Drive

3. Nature of Conveyance: [X] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [ ] Other

City: Sunnyvale State: CA Zip: 94089 Country: United States

Execution Date: 08/29/05 08/29/05 08/29/05

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

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: 08/29/05

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [X] No [ ] Yes

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

6. Total number of applications and patents involved: 1

Name: Blakely, Sokoloff, Taylor & Zafman

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

Internal Address:

[X] Enclosed [ ] Authorized to be charged to deposit account

Street Address: 12400 Wilshire Boulevard 7th Floor

8. Deposit Account Number:

City: Los Angeles State: CA ZIP: 90025

02-2666 (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 is true and correct and any attached copy is a true copy of the original document.

William Thomas Babbitt

Signature: William T. Babbitt

Date: 8/26/05

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services Director of the US Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

09/09/2005 EDOOPER 00000075 11217642

01 FC:8021

40.00 DP

Docket No. 5693P158

112921 U.S. PTO 11/21/7642 083105

8-31-05

No.: 005693.P158 (For Execution Prior To Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, WE,  
the undersigned, CHENG-PING TAN, CON D. PHAN and FARIS R. HINDI

hereby sell, assign, and transfer to Network Appliance, Inc.  
a corporation of Delaware, having a principal place of business at  
495 East Java Drive, Sunnyvale, CA 94089, ("Assignee"),  
and its successors, assigns, and legal representatives, the entire right, title, and interest for the  
United States and all foreign countries, in and to any and all improvements that are disclosed in  
the application for the United States patent that has been executed by the undersigned prior  
hereto or concurrently herewith on the dates indicated below and is entitled

METHOD AND APPARATUS FOR DIAGNOSING AND RAPIDLY OVERCOMING MASS  
STORAGE DEVICE ANOMALIES

and in and to said application and all divisional applications, continuation applications,  
continued prosecution applications, continuation-in-part applications, substitute applications,  
renewal applications, reissue applications, reexaminations, extensions, and all other patent  
applications that have been or shall be filed in the United States and all foreign countries on  
any of said improvements; and in and to all original patents, reissued patents, reexamination  
certificates, and extensions, that have been or shall be issued in the United States and all  
foreign countries on said improvements; and in and to all rights of priority resulting from the  
filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said  
improvements in its own name; and that, when requested, without charge to, but at the  
expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in  
good faith the intent and purpose of this Assignment, the undersigned will execute all divisional  
applications, continuation applications, continued prosecution applications, continuation-in-part  
applications, substitute applications, renewal applications, reissue applications, reexaminations,  
extensions and all other patent applications on any and all said improvements; execute all  
rightful oaths, assignments, powers of attorney, and other papers; communicate to said  
Assignee, its successors, assigns, and representatives all facts known to the undersigned  
relating to said improvements and the history thereof; and generally assist said Assignee, its  
successors, assigns, or representatives in securing and maintaining proper patent protection  
for said improvements and for vesting title to said improvements, and all applications for  
patents and all patents on said improvements, in said Assignee, its successors, assigns, and  
legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no  
assignment, grant, mortgage, license, or other agreement affecting the rights and property  
herein conveyed has been made to others by the undersigned, and that full right to convey the  
same as herein expressed is possessed by the undersigned.

**Each Inventor: Please  
also list the date that  
you signed the**

**accompanying  
DECLARATION AND  
POWER OF  
ATTORNEY:**

8/29/, 2005  
Date  
8-29, 2005  
Date  
08-29, 2005  
Date  
\_\_\_\_\_, 20\_\_\_\_  
Date  
\_\_\_\_\_, 20\_\_\_\_  
Date

**Each Inventor: Please Sign and Date Below:**

8/29/, 2005      Cheng Ping Tan  
Date                      Name: CHENG-PING TAN  
8-29, 2005      Con D. Phan  
Date                      Name: CON D. PHAN  
08-29, 2005      Faris R. Hindi  
Date                      Name: FARIS R. HINDI  
\_\_\_\_\_, 20\_\_\_\_  
Date                      Name:  
\_\_\_\_\_, 20\_\_\_\_  
Date                      Name:

State of: CALIFORNIA }  
County of: SANTA CLARA } SS.

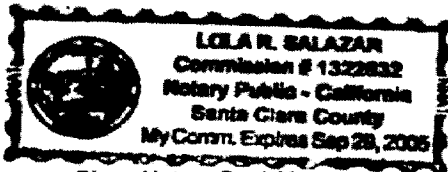
**Assignment Document Return Address:**  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Blvd., Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

On 29 August 2005, before me, Lola R. Salazar Notary Public,  
Date                      Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Cheng-Ping Tan, Con D. Phan and Faris R. Hindi  
Name(s) of Signer(s)

personally known to me  
 proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Lola R. Salazar  
Signature of Notary Public



Place Notary Seal Above