

12-13-2005



103136570

112975 U.S. PTO
11/29/2396



To the Honorable Commissioner of Patents and Trademark

1. Name of conveying party(ies):
Kiran Kamity; Mitalee Gujar

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

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

Internal Address:
Street Address: 495 East Java Drive

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

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

Execution Date: 11/30/2005

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

4. Application number(s) or patent number(s): This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? 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 LLP

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

Internal Address:

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.

12/06/2005 SHASSEM1 00000036 11292396
01 FC:802 40.00 OP

Elena B. Dreszer

11-30-05

Name of Person Signing

Signature

Date

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

Mail documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:

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

Docket No. 5693P238

No.: 5693P238 (For Execution Prior To Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, We

the undersigned, Kiran Kamity and Mitalee Gujar

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 DIFFERENTIAL FILE BASED UPDATE FOR EMBEDDED SYSTEMS

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 Sign and Date Below:

11/30, 2005 [Signature]
 Date Name: Kiran Kamity

11/30, 2005 [Signature]
 Date Name: Mitalee Gujar

_____, 20____ _____
 Date Name:

_____, 20____ _____
 Date Name:

_____, 20____ _____
 Date Name:

Each Inventor: Please also list the date that you signed the accompanying DECLARATION AND POWER OF ATTORNEY:

11/30, 2005
 Date

11/30, 2005
 Date

_____, 20____
 Date

_____, 20____
 Date

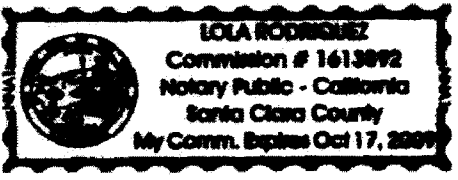
_____, 20____
 Date

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 30 Nov 2005, before me, Lola Rodriguez
 Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared Kiran Kamity & Mitalee Gujar
 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.



Place Notary Seal Above

WITNESS my hand and official seal.
Lola Rodriguez
 Signature of Notary Public

Client Ref. No.: P01-2258

Rev. 01/01/2000 (A1)