

02-17-2006

REI



ET

103179276

2-10-06

Commissioner for Patents: Please record the attached original document(s) or copy(ies).				
1. Name of conveying party(ies): <b>Swaminathan Ramany and Kesari Mishra</b> Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): <b>Network Appliance, Inc.</b> <b>495 East Java Drive</b> <b>Sunnyvale, CA 94089</b>  Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:  Execution Dates: <b>02/10/2006</b>				
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: 02/10/2006 A. Patent Application No(s): <b>Unassigned</b> B. Patent No(s):  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
5. Name/address of party to whom correspondence concerning document should be mailed:  <b>PTO Customer No.: 26181</b>	6. Total number of applications/patents involved: 1  7. Total fee (37 CFR §3.41): <b>\$40</b> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account.  8. Deposit Account No.: 06-1050 <input checked="" type="checkbox"/> Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.			
<b>DO NOT USE THIS SPACE</b>				
9. Statement and Signature: <i>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.</i>  <table border="0" style="width: 100%;"><tr><td style="width: 33%;"><b>Clinton Martin</b> <b>Reg. No. 56,407</b> Name of Person Signing</td><td style="width: 33%; text-align: center;"> Signature</td><td style="width: 33%; text-align: center;"><u>February 10, 2006</u> Date</td></tr></table>		<b>Clinton Martin</b> <b>Reg. No. 56,407</b> Name of Person Signing	 Signature	<u>February 10, 2006</u> Date
<b>Clinton Martin</b> <b>Reg. No. 56,407</b> Name of Person Signing	 Signature	<u>February 10, 2006</u> Date		
Total number of pages including coversheet, attachments and document: 4 pages				

112948 U.S. PTO  
11/351800

021006

50329174.doc

02/16/2006 LMUELLER 00000170 11351000

01 FC:0021

40.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 584756047 US

Date of Deposit: February 10, 2006

**PATENT**  
**REEL: 017560 FRAME: 0060**

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS, Swaminathan Ramany and Kesari Mishra, hereby sell, assign, and transfer to Network Appliance, Inc., a Delaware Corporation, having offices located at 495 East Java Drive, Sunnyvale, California 94089, and its successors, assigns and legal representatives (collectively, "ASSIGNEE") all of the right, title and interest of ASSIGNORS throughout the world in and to any and all inventions and improvements which are the subject of a patent document entitled

Flexible Storage Planning

and which is found in

- (a) ☒ U.S. patent application executed on February 10, 2006, entitled as above, listing the above named persons as Inventors.
- (b) ☒ U.S. patent application filed on February 10, 2006
- ☐ under Application No. Unassigned.
- ☒ with Express Mail No. EV 584756047 US (Application Number not yet known).

An attorney of record, or the attorney filing the application, is authorized and requested by the execution of this assignment to insert into this assignment the execution date of the application and/or the filing date and serial number or express mail number of the application when officially known.

This assignment includes the foregoing patent application or patent; all legal equivalents thereof in any foreign country and all patents issuing therefrom; all United States and foreign patents, utility models, and design registrations granted for any of said inventions and improvements; and the right to claim priority based on the filing date of the foregoing patent application or patent under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes. ASSIGNORS authorize ASSIGNEE to apply in all countries in the name of ASSIGNORS or in the name of ASSIGNEE for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into that would conflict with this assignment.

ASSIGNORS further covenant for themselves and their respective heirs, legal representatives and assigns to provide to ASSIGNEE promptly upon the request of ASSIGNEE all pertinent facts and documents relating to said invention and said patents and legal equivalents as may be known and accessible to ASSIGNOR and to testify as to the same in any interference, litigation, or proceeding relating thereto and promptly to execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said inventions and improvements and said patents and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

ASSIGNORS request the Commissioner of Patents and Trademarks to issue said patents of the United States and any reissue or extension thereof to the ASSIGNEE.

Executed this

Signature of Inventor

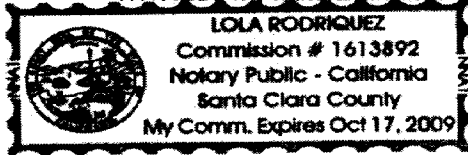
10 day of Feb, 2006

R. Ramany 2/10/2006  
Swaminathan Ramany

STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA ) SS.

On February 10, 2006, before me, the undersigned, a notary public for the State of CALIFORNIA, there personally appeared SWAMINATHAN RAMANY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this Assignment, who acknowledged having executed the same in his authorized capacity and that by his signature on this Assignment, the person or the entity upon behalf of which he acted, executed this Assignment.

WITNESS my hand and official seal.



Lola Rodriguez  
Notary Public

Executed this

Signature of Inventor

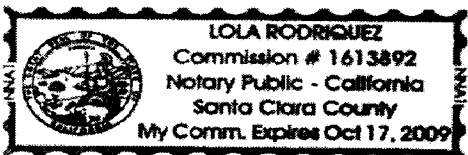
10 day of Feb, 2006

Kesari Mishra  
Kesari Mishra

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) SS.

On Feb 10, 2006, before me, the undersigned, a notary public for the State of California, there personally appeared KESARI MISHRA personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this Assignment, who acknowledged having executed the same in his authorized capacity and that by his signature on this Assignment, the person or the entity upon behalf of which he acted, executed this Assignment.

WITNESS my hand and official seal.



Lola Rodriguez  
Notary Public

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara } ss.

On 10 Feb 2006, before me, Lola Rodriguez  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Swaminathan Ramany and Kesari  
Name(s) of Signer(s)

Mishra

☐ 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 Rodriguez  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here