

8/29/06

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09-06-2006

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To the Honorable Commissioner of Patents and Trade  
Please record the attached original documents on:



103302187

ing party(ies):

## 1. Name of conveying party(ies):

Daniel Ting  
Ling Zheng  
Stephen L. Manley  
John Frederick DeStefano



Name: Network Appliance, Inc.

Street Address: 495 East Java Drive

City: Sunnyvale

State: CA

Zip: 94089

Additional name(s) of conveying

party(ies) attached? Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other

Additional name(s) &amp; address(es)

Attached? Yes ☒ NoExecution Date: August 23, 2006

## 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: August 23, 2006

A. Patent Application No.(s)

B. Patent No. (s)

Additional numbers attached? Yes ☒ No5. Name and address of party to whom  
correspondence concerning document should be  
mailed:

Name: Duane H. Dreger

Street Address: Cesari and McKenna, LLP

88 Black Falcon Avenue

City: Boston State: MA Zip: 02210

6. Total number of applications and  
patents involved:..... 1

## 7. Total fee (37 CFR 3.41) .....\$40.00

☒ Enclosed☐ Authorized to be charged to deposit  
Account8. Deposit account no. 03-1237 (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 information is true and correct and any attached copy is a true  
copy of the original document.

Duane H. Dreger, Reg. No. 48,836

August 24, 2006

Name of Person Signing

Signature

Date

09/05/2006 DBYRNE 00000153 11478272

Total number of pages comprising cover sheet:

01 FC:8021

40.00 DP

PATENT  
REEL: 018253 FRAME: 0407

## ASSIGNMENT

Whereas We, Daniel Ting, whose mailing address is 495 East Java Drive, Sunnyvale, CA 94089, Ling Zheng, whose mailing address is 495 East Java Drive, Sunnyvale, CA 94089, Stephen L. Manley, whose mailing address is 495 East Java Drive, Sunnyvale, CA 94089, and John Frederick DeStefano, whose mailing address is 495 East Java Drive, Sunnyvale, CA 94089, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled **SYSTEM AND METHOD FOR MANAGING DATA DEDUPLICATION OF STORAGE SYSTEMS UTILIZING PERSISTENT CONSISTENCY POINT IMAGES**, identified by Cesari and McKenna File No. 112056-0336, the specification of which was filed on June 29, 2006, and accorded Serial Number 11/478,272; and

Whereas Network Appliance, Inc., whose address is 495 East Java Drive, Sunnyvale, CA 94089, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, Therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;

5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and

enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

8/23/2006  
Date

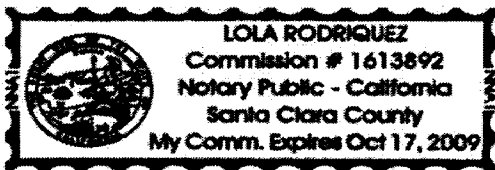
Daniel Ting  
Daniel Ting, Inventor

State of California )  
County of Santa Clara )ss.

On Aug 23, 2006, before me, Lola Rodriguez, personally  
appeared Inventor Daniel Ting,

☐ personally known to me  
☒ Approved 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

[seal]

8/23/2006

Date

Ling Zheng  
Ling Zheng, Inventor

State of California )

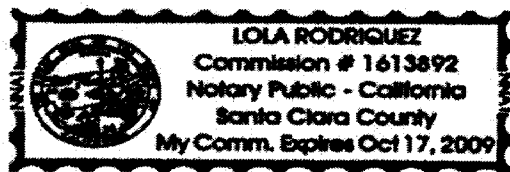
County of Santa Clara )ss.  
)

On 8/23/06, before me, Lola Rodriguez, personally

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evidence

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WITNESS my hand and official seal

Lola Rodriguez  
Signature of Notary Public

[seal]

8/23/2006

Date

Stephen L. Manley

Stephen L. Manley, Inventor

State of California )

County of Santa Clara )

)ss.

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WITNESS my hand and official seal

Lola Rodriguez  
Signature of Notary Public

[seal]

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23-Aug-2006

Date

John Frederick DeStefano

John Frederick DeStefano, Inventor

State of California )

County of Santa Clara )

)ss.

On Aug 23, 2006, before me, Lola Rodriguez, personally

appeared Inventor John Frederick DeStefano,

PATENT

REEL: 018253 FRAME: 0412

8/23/2006

Date

Stephen L. Manley  
Stephen L. Manley, Inventor

State of California )

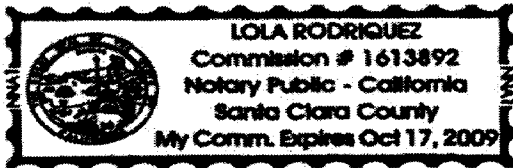
County of Santa Clara ) ss.

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WITNESS my hand and official seal

Lola Rodriguez  
Signature of Notary Public

[seal]

23-AUG-2006

Date

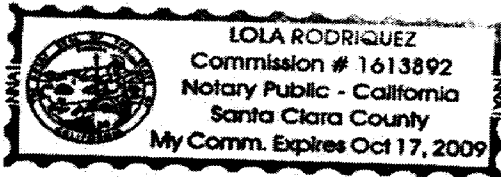
John Frederick DeStefano  
John Frederick DeStefano, Inventor

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