

10-06-2006



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To the Director of the U.S. Patent and Trademark Office or the new address(es) below.

1. Name of conveying party(ies):

Eric Hamilton; John A. Scott

Additional name(s) of conveying party(ies) attached?

☒ No ☐ Yes

3. Nature of Conveyance:

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

Execution Date: 09/27/06; 09/25/06

2. Name and address of receiving party(ies):

Name: **Network Appliance, Inc.**

Internal Address:

Street Address: **495 East Java Drive**

City: **Sunnyvale** State: **CA** Zip: **94089**

Country: **United States**

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:

Name: **Blakely, Sokoloff, Taylor & Zafman LLP**

Internal Address:

Street Address: **12400 Wilshire Boulevard**
7th Floor

City: **Los Angeles** State: **CA** ZIP: **90025**

Phone Number: **(503) 439-8778**

Fax Number: **(503) 439-6073**

E-mail Address: **vincent_anderson@bstz.com**

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 account

8. Deposit Account Number:

02-2666

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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.

Vincent H. Anderson

Name of Person Signing

Signature

September 28, 2006

Date

Total number of pages including cover sheet, attachments, and document: **4**

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. 5693P269

PATENT
REEL: 018371 FRAME: 0307

Attorney's Docket No.: 5693.P269
(For Execution Prior To Filing Patent Application)

PATENT

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, Eric Hamilton and John A. Scott,
the undersigned, inventors
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 WRITE-IN-PLACE
WITHIN A WRITE-ANYWHERE FILESYSTEM
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:

27 Sep, 2006
Date

[Signature]
Name: Eric HAMILTON

25 Sept, 2006
Date

[Signature]
Name: John A. SCOTT

_____, 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:

27 Sep, 2006
Date

25 Sept, 2006
Date

_____, 20____
Date

_____, 20____
Date

_____, 20____
Date

State of: North Carolina } SS.
County of: WAKE

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

On Sept 25, 2006, before me, Donna M. Marcotte, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared John Scott
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.

[Signature]
Signature of Notary Public

Place Notary Seal Above

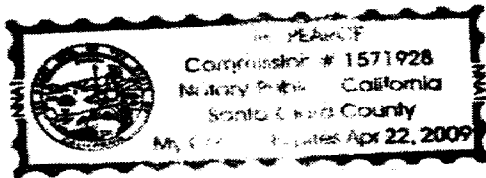
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara } ss.

On September 27, 2006 before me, M. Pearce, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Eric Hamilton
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.

M. Pearce
Signature of Notary Public

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: PATENT Application 2852

Document Date: September 27, 2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Eric Hamilton

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

Signer is Representing: Network Appliance

