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ER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

U.S. PTO

11/717340

03/13/2007

OMB No. 0651-0011 (exp. 4/94)

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

1. Name of conveying party(ies):

Chih-Yi Chen and Mitalee Gujar

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

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

2. Name and address of receiving party(ies)

Name: Network Appliance, Inc.

Internal Address: \_\_\_\_\_

Street Address: 495 East Java Drive

City: Sunnyvale State: California ZIP: 94089

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

Execution Date: March 8, 2007 and March 12, 2007

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: March 8, 2007 and March 12, 2007

A. Patent Application No.(s)

B. Patent No.(s)

03/15/2007 EHAILE1 00000004 11717340

Additional numbers attached? ☐ Yes ☒ No 85 FC:8821

40.00 OP

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

Name: John R. Ley

Internal Address: \_\_\_\_\_

Street Address: Suite 610  
5299 DTC Boulevard

City: Greenwood Village State: CO ZIP: 80111-3327

6. Total number of applications and patents

involved: ☐

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

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

12-1087

(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.

John R. Ley  
Name of Person Signing

[Signature]  
Signature

March 13, 2007  
Date

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

ASSIGNMENT

WHEREAS, I, Chih-Yi Chen, having an address of 495 East Java Drive, Sunnyvale, California 94089; and I, Mitalee Gujar, having an address of 495 East Java Drive, Sunnyvale, California 94089, as joint inventors, have made a certain new and useful invention relating to an APPARATUS AND METHOD FOR SENSING AND RESPONDING TO ENVIRONMENTAL CONDITIONS OF A COMPUTER SYSTEM AT NON-UNIFORM POLLING INTERVALS for which an application for Letters Patent of the United States has been made, said application being identified by Docket No. P01-3011/230.313 in the law firm of John R. Ley, LLC, 5299 DTC Boulevard, Suite 610, Greenwood Village, Colorado, 80111-3327, and which is executed concurrently herewith, and

WHEREAS, Network Appliance, Inc., Assignee, a California corporation, whose post office address is 495 East Java Drive, Sunnyvale, California 94089, desires to acquire the entire right, title and interest in and to said invention, said application and the Letters Patent to be obtained therefor;

NOW THEREFORE, for and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, and set over and by these presents do hereby sell, assign and set over unto the said Assignee and said Assignee's legal representatives, successors and assigns, my entire right, title and interest in and to the above-identified patent application and invention, including all rights of priority and the right to apply for and receive all international, national and regional patents corresponding thereto, and all Letters Patent, both foreign and domestic, that may or shall issue thereon; and I do hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue said Letters Patent to the above mentioned Assignee, agreeably with the term of this Assignment.

UPON SAID CONSIDERATION, I hereby covenant and agree with the said Assignee that I will not execute any writing or do any act whatsoever conflicting with

these presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of the said Assignee, execute such additional assignments and other writings and do such additional acts as said Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, renewal, reissued, reexamined or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits and declarations, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the successors, assigns and legal representatives of the parties hereto.

IN WITNESS WHEREOF, I have signed this ASSIGNMENT on this 8th day of March, 2007.

  
Chih-Yi Chen

STATE OF CALIFORNIA

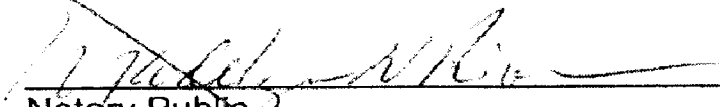
COUNTY OF Santa Clara ) ss.

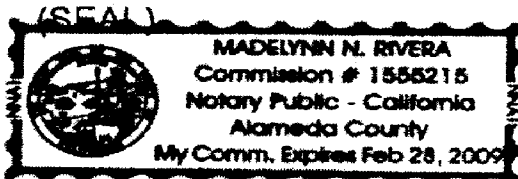
*See CA all-purpose  
acknowledgment attached*

On this 8th day of March, 2007, before a Notary Public in and for said county, appeared Chih-Yi Chen, who is ~~personally known to me~~ to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the same instrument as a free and voluntary act for the uses and purposes therein set forth.

My commission expires: February 28 2009

Witness my hand and official seal.

  
Notary Public



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of 03/12, 2007.

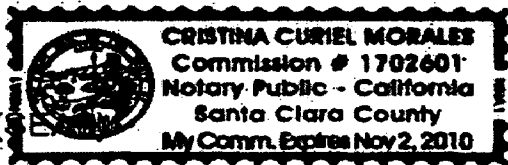
## Mitallee Gujar

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) SS.

On this 12<sup>th</sup> day of March, 2007, before a Notary Public in and for said county, appeared Mitalee Gujar, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that she signed, sealed and delivered the same instrument as a free and voluntary act for the uses and purposes therein set forth.

My commission expires: Nov. 2, 2010

Witness my hand and official seal.



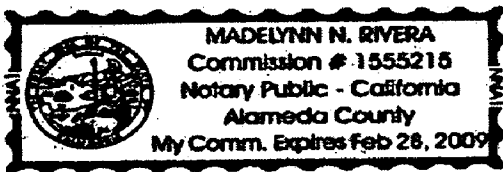
Christine  
Notary Public

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara } ss.

On March 8 2007, before me, Madelynn N Rivera Notary Public,  
personally appeared Chih-Yi Chen  
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.

Place Notary Seal Above

Madelynn N Rivera  
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: Assignment docket # P-01-3011/230.313

Document Date: \_\_\_\_\_ Number of Pages: 3

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

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

Signer's Name: Chih-Yi Chen

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

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  
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