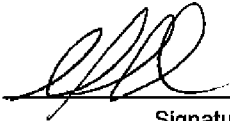


Based on FORM PTO-1595 (Rev. 08/05)
as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 11/30/2005

DEPARTMENT OF COMMERCE
Patent and Trademark Office

Recordation Form Cover Sheet PATENTS ONLY	
To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.	
1. Name of conveying party(ies): Robert L. Fair	2. Name and address of receiving party(ies): Name: Network Appliance, Inc.
Additional name(s) of conveying party(ies) attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Internal Address: _____ Street Address: 495 East Java Drive
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 _____	City: Sunnyvale State: CA Zip: 94089 Country: United States
Execution Date: August 29, 2007	Additional name(s) & address(es) attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
4. Application number(s) or patent number(s): <input type="checkbox"/> This document is being filed together with a new application.	
A. Patent Application No.(s) 11/848,101	B. Patent No.(s)
Additional numbers attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> 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: _____	<input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account
Street Address: 1279 Oakmead Parkway	8. Deposit Account Number: 02-2666
City: Sunnyvale State: CA ZIP: 94085	(Attach duplicate copy of this page if paying by deposit account)
Phone Number: (503) 439-8778	
Fax Number: (503) 439-6073	
E-mail Address: greg.d.caldwell@bstz.com	
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9. Statement and signature. <i>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.</i>	
Gregory D. Caldwell	
Name of Person Signing	Signature
	Date
	August 31, 2007
Total number of pages including cover sheet, attachments, and document: 	

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Docket No. 5693P360

700340482

PATENT
REEL: 019777 FRAME: 0528

CH \$40.00 022666 11848101

ASSIGNMENT OF PATENT APPLICATION

Attorney Docket No.: 5693P360

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/we, the undersigned, Robert L. Fair

hereby sell, assign, and transfer to Network Appliance, Inc.

a corporation of Delaware

(Type of Assignee: e.g., corporation, company, partnership, univarsity, etc.)

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 inventions or improvements that are disclosed in the application (provisional or non-provisional) for the United States patent which may have a declaration executed by the undersigned prior hereto or concurrently herewith and is entitled

Techniques for Efficient Mass Storage Layout Optimization

said patent application also identified as follows (when known):

[I/we hereby authorize an attorney or agent for said Assignee to insert below the application number and filing date of said patent application when known.]

United States Patent Application Number 11/848,101 filed August 30, 2007

and in and to said application (provisional or non-provisional) and all provisional applications, non-provisional applications, utility applications, design applications, 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 inventions or 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 inventions or 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 inventions or 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 provisional applications, non-provisional applications, utility applications, design applications, 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 inventions or 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 inventions or improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said inventions or improvements and for vesting title to said inventions or improvements, and all applications for patents

and all patents on said inventions or 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:

Aug 29, 2007
Date


Signature

Robert L. Fair

Assignment Document Return Address:
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Blvd., Seventh Floor
Los Angeles, CA 90025-1030
(408) 720-8300

ACKNOWLEDGMENT

State of ~~California~~ NORTH CAROLINA
County of WAKE

On Aug. 29th/2007 before me, DONNA M. MARCOTTE
Date (Name and Title of the Officer (e.g., "Jane Doe, Notary Public"))

personally appeared ROBERT FAIR
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 Donna M. Marcotte
Signature of Notary Public

Place Notary Seal Above