



10/26/2007

103459220

original documents or copy

To the Honorable Commissioner of Patents and Trademarks  
thereof.

1. Name of conveying part(ies):

Mark Summa Robert David Paul Ridding  
Peter Gerard Wigley Timothy Kent Zahnley  
Aravanan Gurusami  
Ghang-Ho Lee  
Douglas Llewellyn Butler  
Additional name(s) of conveying party(ies) attached? [ ] Yes [X] No

10-26-07

2. Name and address of receiving party(ies)

Name: Avanex Corporation  
Street Address: 40191 Encyclopedia Drive  
Fremont, CA 94538

Additional name(s) & address(es) attached? [ ] Yes [X] No

3. Nature of conveyance:

[X] Assignment [ ] Merger  
[ ] Security Agreement [ ] Change of Name  
[ ] Other:

Execution Date: 10/22/07, 10/22/07, 10/22/07, 10/22/07  
10/04/07, 10/22/07, 10/22/07

11/977798

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:

A. Patent application No.(s) B. Patent No.(s)

Additional numbers attached? [ ] Yes [ ] No

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

Law Firm of Peter V.D. Wilde  
301 East Landing  
Williamsburg, VA 23185

6. Total number of applications/patents involved: [ 1 ]

10/29/2007 HLE333 00000031 11977798  
FC:8021 (40.00 OP)

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

[ ] Enclosed  
[X] Authorized to be charged to deposit account

8. Deposit Account Number: 50-2074

(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.

Peter V. D. Wilde  
Name of Person Signing

*Peter V. D. Wilde*  
Signature

10-26-07  
Date

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

**ASSIGNMENT AND AGREEMENT**

For value received, we, Mark Summa, of Painted Post, in the County of Steuben, and State of New York, Peter Gerard Wigley, of Corning, in the County of Steuben and State of New York, Aravanan Gurusami, of Painted Post, in the County of Steuben, and State of New York, Ghang-Ho Lee, of Painted Post, in the County of Steuben, and State of New York, Douglas Llewellyn Butler, of Painted Post, in the County of Steuben, and State of New York, Robert David Paul Ridding, of Horseheads, in the County of Chemung and State of New York, and Timothy Kent Zahnley, of Spencer, in the County of Tioga, and State of New York, hereby sell, assign and transfer to Avanex Corporation, a corporation of the State of Delaware, having an office at 40191 Encyclopedia Circle, Fremont, CA 94538, USA, and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **CONTINUOUS TUNING FOR OPTICAL DISPERSION COMPENSATION SYNTHESIZERS USING CASCADED ETALONS** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Avanex Corporation the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Avanex Corporation to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Avanex Corporation to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

AVANEX EP FINANCE

6075627105

10/25 '07 16:34 NO.213 03/28

AV 0701

We request that any and all patents for said inventions be issued to Avanex Corporation in the United States and in all countries foreign to the United States, or to such nominees as Avanex Corporation may designate.

We agree that, when requested, we shall, without charge to Avanex Corporation but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Mark Summa  
Mark Summa

Date: 10/22/07

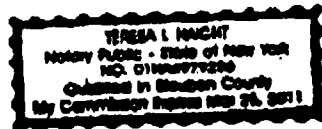
United States of America )

State of ) ss.:

County of )

On this 22nd day of October, 2007, before me personally came Mark Summa, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Teresa L. Haight  
Notary Public



AVANEX EP FINANCE

6075627105

10/25 '07 16:35 NO.213 09/28

AV 0701

Peter Gerard Wigley  
Peter Gerard Wigley

Date: 10-22-2007

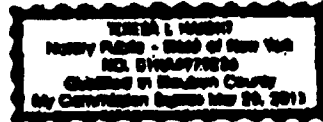
United States of America )

State of New York ) ss.:

County of Steuben )

On this 22<sup>nd</sup> day of October, 2007, before me personally came Peter Gerard Wigley, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Teresa J. Haight  
Notary Public



AVANEX EP FINANCE

6075627105

10/25 '07 16:35 NO.213 08/28

AV 0701

*Guru*

Aravanan Gurusami

Date: 10/22/07

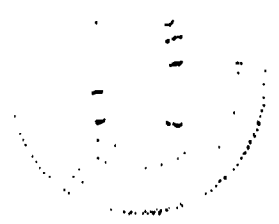
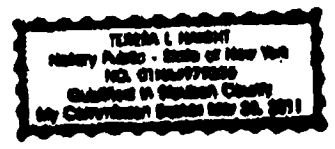
United States of America )

State of New York ) ss.:

County of Steuben )

On this 22<sup>nd</sup> day of October, 2007, before me personally came Aravanan Gurusami, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

*Teresa L. Haight*  
Notary Public



AVANEX EP FINANCE

6075627105

10/25 '07 16:35 NO.213 06/28

AV 0701

Ghang-Ho Lee

Ghang-Ho Lee

Date: 10/22/2007

United States of America )

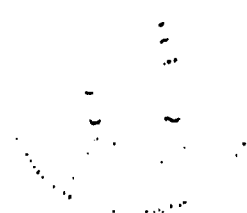
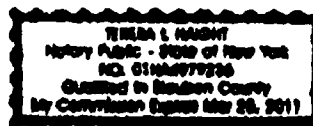
State of New York ) ss.:

County of Steuben )

On this 22<sup>nd</sup> day of October, 2007, before me personally came Ghang-Ho Lee, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Teresa J. Haight

Notary Public



AVANEX EP FINANCE

6075627105

10/25 '07 16:34 NO.213 04/28

AV 0701

*Douglas Llewellyn Butler*

Douglas Llewellyn Butler

Date: October 4, 2007

United States of America )

State of New York ) ss.:

County of Steuben )

On this 4<sup>th</sup> day of October, 2007, before me personally came Douglas Llewellyn Butler, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

SUZANNE E KICK  
NOTARY PUBLIC - STATE OF NEW YORK  
01K14959587  
QUALIFIED IN CHEMUNG COUNTY  
MY COMMISSION EXPIRES 12/04/2009

*Suzanne E. Kick*  
Notary Public



AVANEX EP FINANCE

6075627105

10/25 '07 16:35 NO.213 07/28

AV 0701

Robert David Paul Ridding  
Robert David Paul Ridding

Date: October 22, 2007

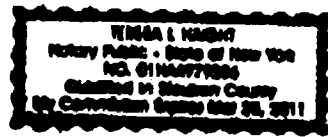
United States of America )

State of New York ) ss.:

County of Steuben )

On this 22nd day of October, 2007, before me personally came Robert David Paul Ridding, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Teresa A. Haight  
Notary Public





AV 0701

Timothy Kent Zahnley

Timothy Kent Zahnley

Date: 10-22-2007

United States of America )

State of New York ) ss.:

County of Steuben )

On this 22nd day of October, 2007, before me personally came Timothy Kent Zahnley, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

TERESA L. HAIGHT  
Notary Public

