



103485380

2-19-08

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

1. Name of conveying part(ies):
Brian Shia
Douglas Llewellyn Butler
Martin Williams
Additional name(s) of conveying party(ies) attached? Yes No

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 No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other:
Execution Date: 02/14/08, 02/15/08, 02/14/08

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]
7. Total fee (37 CFR 3.41) \$ 40.00
 Enclosed
 Authorized to be charged to deposit account
8. Deposit Account Number: 50-2074

(Attach duplicate copy of this page if paying by Deposit Account)
02/21/2008 HMARZ11 00000030 12070523

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40.00 UP

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

Signature

02-19-08

Date

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

ASSIGNMENT AND AGREEMENT

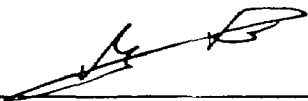
For value received, we, Brian Shia, of Horseheads, in the County of Chemung, and State of New York, Douglas Llewellyn Butler, of Painted Post in the County of Steuben, and State of New York, and Martin Williams, of Corning, in the County of Steuben, and State of New York, hereby sell, assign and transfer 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 **FAST POWER TRANSIENT SUPPRESSION IN CONSTANT POWER-MODE CONTROLLED OPTICAL AMPLIFIERS** 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.

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.

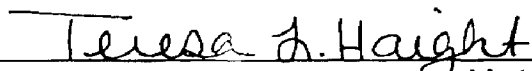


Brian Shia

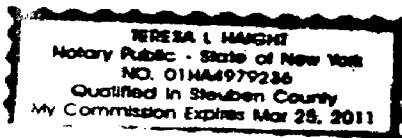
Date: Feb 14, 2008

United States of Amereica)
State of New York) ss.:
County of Steuben)

On this 14th day of February, 2008, before me personally came Brian Shia, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



Notary Public



Douglas Llewellyn Butler
Douglas Llewellyn Butler

Date: 15 February 2008

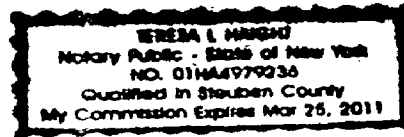
United States of America)

State of New York) ss.:

County of Steuben)

On this 15th day of February, 2008, 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.

Teresa J. Haight
Notary Public



Martin Williams
Martin Williams

Date: 2/14/2008

United States of America)

State of New York) ss.:

County of Steuben)

On this 14th day of February, 2008, before me personally came Martin Williams, 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

