

# PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	ASSIGNMENT	
CONVEYING PARTY DATA		
Name		Execution Date
PRASAD NAGARAJ		05/05/2008
RECEIVING PARTY DATA		
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PROPERTY NUMBERS Total: 1		
Property Type	Number	
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Total Attachments: 1 source=12113011Assignment#page1.tif		

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REEL: 021017 FRAME: 0296

## ASSIGNMENT

This Assignment is by Prasad Nagaraj (the "Assignor"). The Assignor has invented one or more certain inventions (the "Invention(s)") described in a Patent application for Letters Patent of the United States entitled MAINTAINING CHECKPOINTS DURING BACKUP OF LIVE SYSTEM (the "Application"), filed on April 30, 2008 as U.S. Application No. 12/113,011.

NetApp, Inc., a Corporation of Delaware having its principal place of business at 495 East Java Drive, Sunnyvale, California 94089 ("Assignee"), desires to acquire the entire right, title and interest in and to the Invention(s) and the Application, and in and to any patents (collectively, "Patents") that may be granted for the Invention(s) in the United States or in any foreign countries.

For valuable consideration, the receipt and sufficiency of which Assignor acknowledges, Assignor hereby sells, assigns, and transfers to Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to: the Invention(s), the Application, and any Patents; any divisions, continuations, and continuations-in-part of the Application and any other application claiming priority rights from the Application; any reissues, reexaminations, or extensions of any and all Patents; the right to file foreign applications directly in the name of Assignee; and the right to claim priority rights deriving from the Application (collectively, the "Rights"). Assignor warrants that Assignor owns the Rights, and that the Rights are unencumbered. Assignor also agrees to not sign any writing or do any act conflicting with this assignment, and, without further compensation, sign all documents and do such additional acts as Assignee deems necessary or desirable to: perfect Assignee's enjoyment of the Rights; conduct proceedings regarding the Rights, including any litigation or interference proceedings; or perfect or defend title to the Rights. Assignor requests the Commissioner of Patents to issue any Patent of the United States that may be issued on the Invention(s) to Assignee.

Date: May 5, 2008

Prasad Nagaraj

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared PRASAD NAGARAJ who proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

SYED ABDULLA KHARI B.A., B.L.  
Advocate & Notary Public  
Govt. of India  
No. 21/A, 1st Main Road,  
Chinnappa Garden, Benson Town, Post

(P01-4003)