

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | ASSIGNMENT |
| CONVEYING PARTY DATA | |
| Name | Execution Date |
| Stephen M Prather | 09/24/2004 |
| Matthew S Berzins | 09/24/2004 |
| Charles A Cornell | 09/24/2004 |
| RECEIVING PARTY DATA | |
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| State/Country: | CALIFORNIA |
| Postal Code: | 95134 |
| PROPERTY NUMBERS Total: 1 | |
| Property Type | Number |
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Total Attachments: 3
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ASSIGNMENT

WHEREAS, we, Jeffrey W. Waldrip, whose post office address is 11624 Jollyville, # 316, Austin, Texas 78759; Stephen M. Prather, whose post office address is 5604 Bayton Loop, Austin, Texas 78745; Matthew S. Berzins, whose post office address is 8517 Fathom Circle A, Austin, Texas 78750; and Charles A. Cornell, whose post office address is 6310 Sprucewood Cover, Austin, Texas 78731, have made a certain new and useful invention relating to a Circuit and Method for Rapid Power Up of a Differential Output Driver, for which we have made application for Letters Patent of the United States, which application may be identified in the United States Patent and Trademark Office as Patent Application No. No. 11/286,764, filed on September 24, 2004, for a "CIRCUIT AND METHOD FOR RAPID POWER UP OF A DIFFERENTIAL OUTPUT DRIVER"; and

WHEREAS, we now own the entire right, title and interest therein; and

WHEREAS, Cypress Semiconductor Corporation, a Delaware corporation, whose post office address is 3901 North First Street, San Jose, California 95134, is desirous of acquiring the entire interest in and to said invention, said provisional application and any non-provisional, continuation, continuation-in-part, divisional, renewal, or substitute thereof, international and foreign and regional applications corresponding thereto, and the Letters Patent, or any reissue or reexamination thereof, to be obtained therefor:

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid, the receipt and sufficiency of which are hereby acknowledged, we have sold, assigned, and set over and by these presents do hereby sell, assign and set over unto Cypress Semiconductor Corporation and its legal representatives, successors and assigns, the entire right, title and interest in and to said invention, said provisional application and any non-provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, international and foreign and regional applications corresponding thereto, and the Letters Patent, both foreign and domestic, that may or shall issue thereon, or any reissue or reexamination thereof; and we do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned assignee, consistent with the terms of this Assignment.

WE HEREBY AUTHORIZE the above-mentioned assignee to insert in this instrument the filing date and serial number of said application.

UPON SAID CONSIDERATION, we hereby covenant and agree with the said assignee that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we 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, non-provisional, continuation, continuation-in-part, divisional, renewal, reissued 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, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of both parties.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals on the date indicated below.

_____, 2004

Jeffrey W. Waldrip

9/24, 2004

Stephen M. Prather
Stephen M. Prather

9/24, 2004

Matthew S. Berzins
Matthew S. Berzins

9/24, 2004

Charles A. Cornell
Charles A. Cornell

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Each other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.