

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 |
| Nigel P. Smith | 12/17/2008 |
| RECEIVING PARTY DATA | |
| Name: | Nanometrics Incorporated |
| Street Address: | 1550 Buckeye Drive |
| City: | Milpitas |
| State/Country: | CALIFORNIA |
| Postal Code: | 95035-7418 |
| PROPERTY NUMBERS Total: 1 | |
| Property Type | Number |
| Application Number: | 12340563 |
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| ATTORNEY DOCKET NUMBER: | NAN147-1P US |
| NAME OF SUBMITTER: | Michael J. Halbert |
| Total Attachments: 2 source=NAN147_1P_Assignment#page1.tif source=NAN147_1P_Assignment#page2.tif | |

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REEL: 022010 FRAME: 0934

ASSIGNMENT

For good and valuable consideration, receipt of which is hereby acknowledged, I:

Nigel P. Smith of 2nd FL, No. 9, Lane 102, Jin Chu Road, Hsinchu, Taiwan 300;
and

Kevin E. Heidrich of 19536 SW Ruth Ct, Beaverton, OR 97007;

hereby sell, assign and transfer to **Nanometrics Incorporated**, a **Delaware** corporation, having a place of business at **1550 Buckeye Drive, Milpitas, CA 95035-7418**, its successors and assigns, the entire right, title and interest throughout the world in my invention for which I have executed a United States patent application entitled

DETERMINING OVERLAY ERROR USING AN IN-CHIP OVERLAY TARGET

the patent application being executed on or about the date of this assignment, and all patent applications and patents of every country for said invention, including divisions, reissues, continuations and extensions thereof, and all rights of priority resulting from the filing of said applications; I authorize the above-named assignee to apply for patents of foreign countries for said invention, and to claim all rights of priority without further authorization from me; I agree to execute all papers useful in connection with said United States and foreign applications, and generally to do everything possible to aid said assignee, its successors, assigns and nominees, at their request and expense, in obtaining and enforcing patents for said invention in all countries; and I request that the United States Patent and Trademark Office issue all patents granted for said invention to the above-named assignee, its successors and assigns.

Sole or First Joint Inventor

Executed this 17 day of DECEMBER, 2008.



Signature of Nigel P. Smith

State of _____)
County of _____) ss.

On _____ before me, _____
(date) (Notary's Name)

Personally appeared **Nigel P. Smith** who proved to me on the basis of satisfactory evidence to be the person 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 OF NOTARY

Second Joint Inventor

Executed this ____ day of _____, 2008.

State of _____)
County of _____) ss.

Signature of Kevin E. Heidrich

On _____ before me, _____
(date) (Notary's Name)

Personally appeared Kevin E. Heidrich who proved to me on the basis of satisfactory evidence to be the person 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.

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