PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

CONVEYING PARTY DATA

Name	Execution Date
Jianping Yang	01/11/2011
Roger Lee	10/25/2002

RECEIVING PARTY DATA

Name:	Semiconductor Manufacturing International (Shanghai) Corporation
Street Address:	18 Zhang Jiang Road
Internal Address:	Pudong New Area
City:	Shanghai
State/Country:	CHINA
Postal Code:	201203

PROPERTY NUMBERS Total: 1

Property Type	Number
Application Number:	12979258

CORRESPONDENCE DATA

Fax Number: (650)326-2422
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 415-576-0200
Email: mtejera@kilpatricktownsend.com
Correspondent Name: KILPATRICK TOWNSEND AND STOCKTON LLP
Address Line 1: Two Embarcadero Center
Address Line 2: Eighth Floor
Address Line 4: San Francisco, CALIFORNIA 94111

ATTORNEY DOCKET NUMBER:	87720-675276 (005700US)
NAME OF SUBMITTER:	Dah-Bin Kao

Total Attachments: 10
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PATENT
Docket No.: 87720-675276 (005700US)
Client Ref. No.: 2003-00302-SH-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ROGER LEE et al.

Application No.: 12/979,258

Filed: December 27, 2010

For: METHOD AND DEVICE FOR CMOS IMAGE SENSING WITH MULTIPLE GATE OXIDE THICKNESSES

Customer No.: 20350

Confirmation No.: 2703

Examiner: Not Yet Assigned

Art Unit: 2811

COMMUNICATION REGARDING ASSIGNMENT OF PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Submitted for recordation is executed assignment of this Application by one of the two inventors: Jianping Yang.

The second inventor, Mr. Roger Lee, no longer works at Semiconductor Manufacturing International (Shanghai) Corporation (SMIC) and cannot be reached for signing the declaration and assignment of this Application. A petition under 37 C.F.R. §147(a) for non-signing inventor was filed on behalf of Mr. Roger Lee. The petition was granted May 5, 2011. In addition, Mr. Roger Lee has conveyed the right of all his company-related inventions to Semiconductor Manufacturing International (Shanghai) Corporation (SMIC) in the attached EMPLOYEE INTELLECTUAL PROPERTY RIGHT AGREEMENT AND INVENTION ASSIGNMENT AND ARBITRATION AGREEMENT. A Chinese version of the EMPLOYEE INTELLECTUAL PROPERTY RIGHT AGREEMENT signed by Mr. Mr. Roger Lee is hereby

submitted for recordation. Also submitted is an English version of the agreement provided by SMIC.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (650) 326-2400.

Respectfully submitted,

/Dah-Bin Kao/

Dah-Bin Kao
Reg. No. 53,092

KILPATRICK TOWNSEND & STOCKTON LLP
Two Embarcadero Center, Eighth Floor
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63579827 v1

Attorney Docket No.: 021653-005700US
Client Reference No.: 2003-00302-SH-US

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, **ROGER LEE** of 18 Zhang Jiang Rd., Pudong New Area, Shanghai, 201203 People's Republic of China; and **JIANPING YANG** of 18 Zhang Jiang Rd., Pudong New Area, Shanghai, 201203 People's Republic of China, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: METHOD AND DEVICE FOR CMOS IMAGE SENSING WITH MULTIPLE GATE OXIDE THICKNESSES

Date(s) of execution of Declaration:

Filing Date: December 27, 2010

Application No.: 12/979,258 ; and

WHEREAS, Semiconductor Manufacturing International (Shanghai) Corporation, a corporation of People's Republic of China, located at 18 Zhang Jiang Rd, Pudong New Area, Shanghai, 201203, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignor, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: _____ _____
ROGER LEE

Dated: Jan 11, 2011 _____
JIANPING YANG

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Tm875

SEMICONDUCTOR MANUFACTURING INTERNATIONAL CORPORATION (SHANGHAI)

CONFIDENTIAL INFORMATION, INVENTION ASSIGNMENT AND ARBITRATION AGREEMENT

In consideration of my employment or continued employment with Semiconductor Manufacturing International Corporation (Shanghai) (hereinafter referred to as the "Company"), a subsidiary of Semiconductor Manufacturing International Corporation, a Cayman Islands company (hereinafter referred to as the "Parent Company"), and the compensation now and hereafter paid to me by the Company, I hereby agree to enter into this Agreement. For the purposes of this Agreement, "Group" means the Company and any company which is for the time being and from time to time, the holding company, parent or subsidiary of the Company, or a subsidiary of the holding company or parent of the Company or of a subsidiary of the Company.

Redacted

Redacted

(b) **Assignment of Inventions**. I agree that I will promptly make full written disclosure to the Company, will hold in trust for the sole right and benefit of the Company and the Parent Company, and hereby assign to the Parent Company, or its designee, all my right, title, and interest in and to any and all inventions, original works of authorship, developments, concepts, improvements, designs, discoveries, ideas, trademarks or trade secrets, processes, copyright works, know-how, any other work's information or matter which gives rise or may give rise to any intellectual property of whatsoever nature, whether or not patentable or registrable under any law of any country, which I may solely or jointly conceive or develop or reduce to practice, or cause to be conceived or developed or reduced to practice, during the period of time I am in the employ of the Company (collectively referred to as "Inventions"), except as provided in Section 3(e) below. I

Redacted

(d) **Patent and Copyright Registrations**. I agree to assist the Company, or its designee, at the Company's expense, in every proper way to secure the Parent Company's (or its designee's) rights in the Inventions and any copyrights, patents, mask work rights or other intellectual property rights relating thereto in any and all countries, including the disclosure to the Company of all pertinent information and data with respect thereto, the execution of all applications, specifications, oaths, assignments and all other instruments which the Company shall deem necessary in order to apply for and obtain such rights and in order to assign and convey to the Parent Company, its successors, assigns, and nominees the sole and exclusive rights, title and interest in and to such Inventions, and any copyrights, patents, mask work rights or other intellectual property rights relating thereto. I further agree that my obligation to execute or cause to be executed, when it is in my power to do so, any such instrument or papers shall continue after the termination of this Agreement. If the Company is unable because of my mental or physical incapacity or for any other reason to secure my signature to apply for or to pursue any application for any United States or foreign patents or copyright registrations covering Inventions or original works of authorship assigned to the Parent Company as above, then I hereby irrevocably designate and appoint the Parent Company and its duly authorized officers and agents as my agent and attorney in fact, to act for and in my behalf and stead to execute and file any such applications and to do all other lawfully permitted acts to further the prosecution and issuance of letters patent or copyright registrations thereon with the same legal force and effect as if executed by me.

Redacted

(e) **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall be enforceable, and all of which together shall constitute one agreement.

Date: 8-25-2002

Signature

ROGER LEE

Name of Employee (typed or printed)

Witness

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

MAILED
MAY 05 2011
OFFICE OF PETITIONS

In re Application of Lee et al. Application No. 12/979,258 Filed: December 27, 2010 Attorney Docket No. 87720-675276 (005700US)	: : : : : :	DECISION GRANTING STATUS UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed April 12, 2011.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventor, Roger Lee, has constructively refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

It is noted that both joint inventor's residence and mailing address is the same. Given the fact that Mr. Lee no longer works at Semiconductor Manufacturing International Corporation, it is assumed that he does not receive mail there.

MPEP 605.03 states that, "Applicant's mailing address means that address at which he or she customarily receives his or her mail. Either applicant's home or business address is acceptable as the mailing address.... In situations where an inventor does not execute the oath or declaration and the inventor is not deceased, such as in an application filed under 37 CFR 1.47, the inventor's most recent home address must be given...."

Please file a supplemental ADS correcting Mr. Lee's residence and mailing address.

Deposit account no. 20-1430 will be charged the required $130.00 late declaration surcharge. The Office acknowledges receipt of the $200.00 Rule 47 petition fee and a $130.00 one month extension of time fee.

This application is being referred to the Office of Patent Application Processing for further pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

ROGER LEE
2697 W. DEERFIELD CT.
EAGLE ID 83616

MAILED
MAY 05 2011
OFFICE OF PETITIONS

In re Application of	:	
Lee et al.	:	
Application No. 12/979,258	:	LETTER
Filed: December 27, 2010	:	
Attorney Docket No. 87720-675276 (005700US)	:	

Dear Mr. Lee:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Shirene Willis Brantley
Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

ATTORNEYS OF RECORD: KILPATRICK TOWNSEND & STOCKTON LLP
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