

## PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT								
NATURE OF CONVEYANCE:	ASSIGNMENT								
CONVEYING PARTY DATA									
<table border="1"> <thead> <tr> <th>Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>Eric P. Forgette</td> <td>12/12/2011</td> </tr> <tr> <td>Daniel A. Sarisky</td> <td>12/12/2011</td> </tr> <tr> <td>Jonathan K. Rippy</td> <td>12/14/2011</td> </tr> </tbody> </table>		Name	Execution Date	Eric P. Forgette	12/12/2011	Daniel A. Sarisky	12/12/2011	Jonathan K. Rippy	12/14/2011
Name	Execution Date								
Eric P. Forgette	12/12/2011								
Daniel A. Sarisky	12/12/2011								
Jonathan K. Rippy	12/14/2011								
RECEIVING PARTY DATA									
Name:	NetApp, Inc.								
Street Address:	495 East Java Drive, Bldg. 1								
City:	Sunnyvale								
State/Country:	CALIFORNIA								
Postal Code:	95089								
PROPERTY NUMBERS Total: 1									
<table border="1"> <thead> <tr> <th>Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>13328039</td> </tr> </tbody> </table>		Property Type	Number	Application Number:	13328039				
Property Type	Number								
Application Number:	13328039								
CORRESPONDENCE DATA									
Fax Number:	(214)855-8200								
Phone:	214-855-8000								
Email:	ldecordova@fulbright.com								
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>									
Correspondent Name:	R. Ross Viguet/Fulbright & Jaworski LLP								
Address Line 1:	2200 Ross Avenue								
Address Line 2:	Suite 2800								
Address Line 4:	Dallas, TEXAS 75201								
NAME OF SUBMITTER:	R. Ross Viguet								
Total Attachments: 6 source=P3#page1.tif source=P3#page2.tif source=P3#page3.tif source=P3#page4.tif source=P3#page5.tif source=P3#page6.tif									

OP \$40.00 13328039

## ASSIGNMENT BY INVENTORS

**THIS ASSIGNMENT**, made by Eric P. Forgette; Daniel A. Sarisky; and Jonathan K. Rippey (hereinafter referred to as Assignors), residing at Mechanicsville, Virginia 23116; Cary, North Carolina 27519; and Raleigh, North Carolina 27609, respectively;

**WHEREAS**, Assignors have invented certain new and useful improvements in SYSTEM AND METHOD FOR OPTIMALLY CREATING STORAGE OBJECTS IN A STORAGE SYSTEM, set forth in a Patent application for Letters Patent of the United States, filed on December 16, 2011 as U.S. application No. 13/328039; and

**WHEREAS**, NetApp, Inc., a Corporation organized under and pursuant to the laws of Delaware having its principal place of business at 495 East Java Drive, Bldg. 1, Sunnyvale, California 95089 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefore and thereon.

**NOW, THEREFORE**, for good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

**AND** for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and

delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

**AND** for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

**AND** Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.


**AND** Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

FULBRIGHT & JAWORSKI L.L.P.

All practitioners at Customer Number 000029053


**AND** Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.

Date: 12/12/11

  
Eric P. Forgette

United States of America )  
State of Virginia ) ss.:  
County of Hanover )

On this 12<sup>th</sup> day of December, 2011, before me personally came Eric P. Forgette, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

  
Notary Public



Date: 12/12/2011

*Daniel A. Sarisky*  
Daniel A. Sarisky

United States of America            )  
State of \_\_\_\_\_            ) ss.:  
County of \_\_\_\_\_            )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally came Daniel A. Sarisky, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

\_\_\_\_\_  
Notary Public

Date: 12-14-2011

*Jonathan K. Rippy*  
Jonathan K. Rippy

United States of America )  
State of North Carolina ) ss.:  
County of Wake )

On this 14 day of December, 2011, before me personally came Jonathan K. Rippy, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

*Shauntae R Bowers*  
Notary Public

SHAUNTAE R BOWERS  
Notary Public, North Carolina  
Wake County  
My Commission Expires  
02/24/2016