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U.S. Patent & TMOfc/TM Mail RcptDt #64

ier of Patents and Trademarks:

Please record the attached original document(s) or copy thereof.

- 1. Name of conveying party(ies)
  - a) XaQti Corporation
- 2. Name and address of receiving party(ies):
  - a) Name: Vitesse Semiconductor Corporation
  - Address: 741 Calle Plano  
Camarillo, CA 93012

- 3. Nature of conveyance
 

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	<input type="checkbox"/> License Agreement

Execution Date: October 15, 1999

- 4. Serial Number(s) or Registration Number(s):

A. Trademark Serial No.(s)  
 (1) 75/613,548

- 5. Please send all correspondence concerning this (these) documents to:

Steve D Beyer  
 BEYER & WEAVER, LLP  
 P.O. Box 61059  
 Palo Alto, CA 94306  
 Tel. No.: (650) 493-2100  
 Fax No.: (650) 493-2102

- 6. Total number of applications or registrations involved: 1
- 7. Total fee (37 CFR 3.41): \$40.00

- Enclosed
- Any deficiency in these fees are authorized to be charged to Deposit Account No. 50-0388 (Order No. XAQTT003).

8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: December 17, 1999

  
 Steve D Beyer  
 Attorney at Law

Attorney Docket No. XAQTT003

(Revised 01/96)

00000051 75613548 40.00 OP  
 01/27/2000 VBRDMM  
 01 FC:461

TRADEMARK  
 REEL: 002012 FRAME: 0159

# ASSIGNMENT OF AN INTENT TO USE APPLICATION

WHEREAS, XaQti Corporation, a California Corporation located at 3100 De La Cruz Boulevard (hereinafter "Assignor") has adopted, used and is using the mark TERAPOWER which is pending in the United States Patent and Trademark Office respectively as:

Serial No. 75/613,548, Filed December 30, 1998.

WHEREAS, Vitesse Semiconductor Corporation, a Delaware Corporation located at 741 Calle Plano, Camarillo, CA 93012 (hereinafter "Assignee") has acquired and Assignee is therefore desirous of formally acquiring any and all rights that Assignor may have in and to the identified mark and the registration therefor, together with the goodwill of the business in connection with which the identified mark is used and which is symbolized by the identified mark, along with the right to recover damages and profits for past infringement(s) thereof;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign unto Assignee all right, title and interest in and to the identified mark and the registration therefor for the United States and throughout the world together with the goodwill of the business in connection with which the identified mark is used and which is symbolized by the identified mark, along with the right to recover damages and profits for past infringement(s) thereof;

Dated: 10/15/99

  
Name: David C. Newkirk  
Title: Chief Financial Officer

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 199\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or 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(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Signature \_\_\_\_\_

(SEAL)