

TRADEMARK ASSIGNMENT

Spinnaker Networks, Inc., a Delaware corporation ("Assignor"), is the owner of the marks set forth in Schedule A attached hereto ("Marks"), all of which are registered in the United States Patent and Trademark Office under the registration numbers listed on Schedule A; and Network Appliance, Inc., a Delaware corporation located and doing business at 495 East Java Drive, Sunnyvale, California 94089 ("Assignee"), desires to acquire the Marks and any and all registrations for the Marks.

For good and valuable consideration, receipt of which is hereby acknowledged, Assignor assigns to Assignee all its right, title and interest in and to each of the Marks, together with the goodwill of the business symbolized by the Marks. This assignment includes the right to sue and recover damages for past and future infringements of Assignor's rights in the Marks and to bring any proceeding in the United States Patent and Trademark Office or any equivalent agency for cancellation, opposition or other proceeding based upon ownership of the Marks. 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 Assignor had this assignment not been made.

Assignor further agrees that it will execute, verify, acknowledge and deliver all such documents, including any instruments of transfer and any documents needed to record the assignment of the Marks with the United States Patent and Trademark Office, and perform such other acts as Assignee lawfully may request from time to time, to perfect and vest title in the Marks in Assignee, or Assignee's successors and assigns.

Spinnaker Networks, Inc.

By: 

Date: 4-6-04

Name: JOHN DEAN

Title: VP FINANCE

SCHEDULE A**TRADEMARK REGISTRATIONS IN THE UNITED STATES**

| TRADEMARK NAME | REGISTRATION NO. | REGISTRATION DATE |
|----------------------------|-------------------------|--------------------------|
| SPINCLUSTER | 2803217 | 06-Jan-2004 |
| SPINFS | 2802986 | 06-Jan-2004 |
| SPINHA | 2798742 | 23-Dec-2003 |
| SPINMOVE | 2809166 | 27-Jan-2004 |
| SPINNAKER NETWORKS | 2795192 | 16-Dec-2003 |
| SPINNAKER NETWORKS LOGO | 2795191 | 16-Dec-2003 |
| SPINSERVER | 2795190 | 16-Dec-2003 |
| SPINSTOR | 2820297 | 02-Mar-2004 |