

REC

05-13-1998



SHEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings

100680261

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Xplain Corporation

- Individual(s)
- General Partnership
- Corporation-State - Nevada
- Other
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance: **MRD 10-7-97**

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: October 1, 1996

2. Name and address of receiving party(ies)

Name: Apple Computer, Inc.

Internal Address: 1 Infinite Loop

Street Address: _____

City: Cupertino State: CA ZIP: 95014

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State California
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

74/730090

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Suzette Perry

Internal Address: 38-TM

Street Address: 1 Infinite Loop

City: Cupertino State: CA ZIP: 95014

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ _____

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

01-2150

**40E
NO SPCC
FEE**

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

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.

Suzette Perry

Name of Person Signing

Signature

April 30, 1998

Date

Total number of pages including cover sheet, attachments, and document: 1

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 1728 FRAME: 0103

EXHIBIT A California

80

WHEREAS, Xplain Corporation, a Nevada corporation whose principal place of business is located at 850-P Hampshire Road, Westlake Village, CA 91361 (hereinafter "Xplain") has used the mark DEVELOPER CENTRAL in commerce and has filed an application assigned Serial No. 74-730,090, and

WHEREAS, Xplain is assigning the mark in the above referenced application as part of the entire business or portion thereof to which the mark pertains as required by 15 U.S.C. Section 1060; and

WHEREAS, Apple Computer, Inc., a corporation of the state of California, having its principal place of business at One Infinite Loop, Cupertino, California 95014 (hereinafter "Apple"), the successor of the ongoing and existing business [or portion thereof] of Xplain to which the mark pertains, is desirous of acquiring said trademark and the pending intent-to-use application therefor;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said Xplain does hereby assign to said Apple all worldwide right, title and interest, including without limitation all common law and statutory rights thereto, in and to the trademark DEVELOPER CENTRAL and the goodwills of business symbolized thereby.

NOW THEREFORE, Apple, at its sole election and at its expense, may record the foregoing assignment in the United States and international Trademark Offices. Xplain agrees to execute any and all documentation reasonably necessary to effectuate such recordation(s).

Executed at Westlake this 1st day of Oct, 1996 at Westlake Village

California

Xplain Corp.

BY: [Signature] Its: CEO

STATE OF CALIFORNIA)
COUNTY OF Ventura) ss.

On this 1st day of October 1996, personally appeared Neil Ticktin to me (personally known to me) or (proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) as CEO and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature: [Signature] Notary Public

