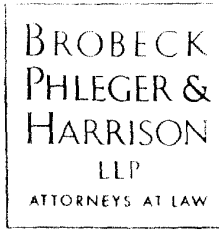


6-9-98

06-30-1998



100748762

TWO EMBARCADERO PLACE
2200 GENG ROAD
PALO ALTO
CALIFORNIA 94303-0913

TELEPHONE: (415) 424-0160
FACSIMILE: (415) 496-2885
WRITER'S DIRECT DIAL:

September 16, 1997

COPY

VIA EXPRESS MAIL POST OFFICE TO ADDRESSEE
SERVICE OF THE U.S. POST OFFICE

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Attn: Assignment Branch

6-9-98

Re: Submission of Trademark Assignment for Recordation
Conveying Party: NetScheme Solutions, Inc.
Receiving Party: Actuate Software Corporation
Our Reference: 022098.0001

Dear Sir:

Enclosed for recordation, please find a Trademark Assignment executed August 26, 1997 pursuant to which NetScheme Solutions, Inc. assigns its trademark applications to Actuate Software Corporation.

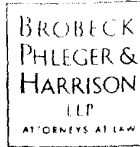
Enclosed please also find a check in the amount of \$90.00 for recordation of the Trademark Assignment for three (3) trademark applications.

The following is the required cover sheet information for recording the enclosed Trademark Assignment:

- 1. **Conveying Party:** NetScheme Solutions, Inc.
(a Delaware corporation)
4 Mount Royal Avenue, Suite 250
Marlborough, Massachusetts 01752-1978

PALLIB1\BDK\1071243.01
EH 813 071 475 US

September 16, 1997



Page 2

2. **Receiving Party:** Actuate Software Corporation
(a California corporation)
999 Baker Way, Suite 330
San Mateo, California 94404

3. **Nature of Conveyance:** Assignment

4. **Trademark Applications:**

| | | |
|---------------------|------------|------------------------------|
| <u>Serial Nos.:</u> | 75/063,799 | NETSCHEME |
| | 75/069,223 | NETSCHEME INTERMART |
| | 75/069,679 | NETSCHEME SOLUTIONS, INC. |

5. **Party to Whom Correspondence Regarding this Document Should Be Mailed:**

Benjamin P. Oelsner, Esq.
Brobeck, Phleger & Harrison LLP
2200 Geng Rd., Two Embarcadero Place
Palo Alto, CA 94303

6. **Total Number of Applications:** 3

7. **Total Fee:** \$90.00

In addition, please charge Deposit Account No. 02-3950 for any additional fees that might be necessary. A copy of this letter is enclosed.

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EH 813 071 475 US

TRADEMARK
REEL: 1745 FRAME: 0899

September 16, 1997



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To the best of the undersigned's knowledge and belief, the foregoing information is true and correct.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

By

A handwritten signature in cursive script, appearing to read "B. P. Oelsner".

Benjamin P. Oelsner

Enclosures

cc: Elizabeth Yee, Esq.

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EH 813 071 475 US

TRADEMARK
REEL: 1745 FRAME: 0900

TRADEMARK ASSIGNMENT

This Trademark Assignment (hereinafter referred to as "Assignment") is effective as of the 26th day of August, 1997, by and between NetScheme Solutions, Inc., a Delaware corporation, having its principal place of business at 4 Mount Royal Avenue, Suite 250, Marlborough, Massachusetts 01752-1978 ("Assignor") and Actuate Software Corporation, a California corporation, having its principal place of business at 999 Baker Way, Suite 330, San Mateo, California 94404 ("Assignee").


WHEREAS, Assignor is willing to assign to Assignee all rights, title and interest as Assignor may possess worldwide in and to the trademarks set forth in Schedule A attached hereto and incorporated herewith, and all other rights appurtenant thereto, including, but not limited to, all common law rights, title and interest, trade name rights and the right to recover for past infringement, in the United States of America and all other countries and jurisdictions of the world in and to said trademark and applications and registrations thereof (hereinafter collectively referred to as the "Trademark") and any goodwill associated with and symbolized by said Trademark which Assignor has acquired and not abandoned; and

WHEREAS, Assignee is desirous of acquiring all rights, title and interest in and to the Trademark worldwide;

NOW, THEREFORE, for good and adequate consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns and sells to Assignee all rights, title and interest as Assignor may possess in and to the Trademark worldwide, together with the goodwill symbolized by said Trademark, concurrent with the transfer of certain tangible assets as indicia of said goodwill.

Executed at South Borough, Massachusetts this 26 day of Aug, 1997.

NETSCHEME SOLUTIONS, INC.

By: 
Cornelius A. Ferris
Chief Executive Officer

SCHEDULE A

Trademarks

| | |
|---------------------------|------------|
| NETSCHEME | 75/063,799 |
| NETSCHEME INTERMART | 75/069,223 |
| NETSCHEME SOLUTIONS, INC. | 75/069,679 |

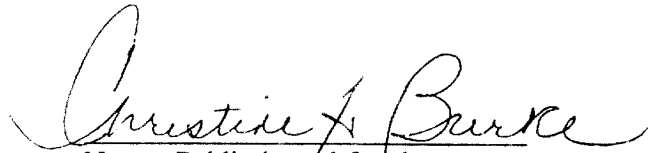
ACKNOWLEDGMENT

STATE OF Massachusetts)
)
COUNTY OF Middlesex) ss.

On this 26th day of August, in the year 1997, before me, the undersigned Notary Public, duly commissioned and sworn, personally appeared Cornelius A. Ferri, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as Chief Exec. Officer on behalf of Netscheme Solutions, Inc. and acknowledged to me that he executed it

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

[SEAL]



Notary Public in and for the aforesaid County and State

Christine H. Burke
My Commission Expires:
March 2, 2000