

10-19-1998

ET

Docket No.:

Y



100852395

Tab settings

attached original documents or copy thereof.

To the Honorable Commissioner of Pat.

MRD 10-14-98

1. Name of conveying party(ies):

America Online, Inc.
22000 AOL Way
Dulles, Virginia 20166

- Individual(s)
- General Partnership
- Corporation-State **Delaware**
- Other

- Association
- Limited Partnership

Additional names(s) of conveying party(ies) Yes No

2. Name and address of receiving party(ies):

Name: Spry, Inc.

Internal Address: _____

Street Address: 3535 128th Avenue SE

City: Bellevue State: WA ZIP: 98006

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

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

3. Nature of conveyance:

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

Execution Date: October 9, 1998

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

74/646,086

Additional numbers

B. Trademark Registration No.(s)

Yes No

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

Name: Cynthia J. Larose

Internal Address: Mintz, Levin, Cohn, Ferris, Glovsky and Popoe, P.C.

Street Address: One Financial Center

City: Boston State: MA ZIP: 02111

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:

50-0311

10/16/1998 JSNRBAZZ 00000060 74646086

DO NOT USE THIS SPACE

01 FC:481

40.00 OP

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.

Brett N. Dorny

October 13, 1998

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

17

TRADEMARK

REEL: 1800 FRAME: 0457

TRADEMARK ASSIGNMENT

This assignment is made by America Online, Inc., a corporation organized under the laws of the State of Delaware, having a place of business at 22000 AOL Way, Dulles, Virginia 20166 (“ASSIGNOR”), to Spry, Inc., a corporation organized under the laws of the State of Washington, having a place of business at 3535 128th Avenue SE, Bellevue, Washington 98006 (“ASSIGNEE”).

Any and all notices in connection with the subject matter of this Assignment are to be directed as follows:

For ASSIGNEE to:
Spry, Inc.
3535 128th Avenue SE
Bellevue, WA 98006
Attn: President

For ASSIGNOR to:
America Online, Inc.
22000AOL Way
Dulles, VA 20166
Attn: General Counsel

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, ASSIGNOR does hereby assign unto said ASSIGNEE its entire right, title and interest in and to the MARKS outlined in the attached Exhibit A (the “MARKS”), and the United States and Foreign Registrations and Applications for Registration thereof, and in and to the goodwill symbolized by the MARKS, for ASSIGNEE’s own use and benefit and for the use and benefit of its successors, assigns or other legal representatives, together with all claims for damages by reasons of past infringement of said MARKS, with the right to sue for, and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns and other legal representatives.

ASSIGNOR HEREBY AGREES to take all actions, and to execute and deliver all additional instruments and documents as ASSIGNEE may reasonably request for the purpose of carrying out this assignment and the transactions contemplated herein including, but not limited to, all instruments and documents necessary to transfer the MARKS in the United States and any foreign countries.

IN WITNESS WHEREOF, said ASSIGNOR has caused this Trademark Assignment to be executed this 9th day of October, 1998.

AMERICA ONLINE, INC.

By: David M. Colburn

Before me personally appeared David M. Colburn, to me known to be the same person described in and who executed the foregoing instrument as authorized on behalf of the ASSIGNOR, and acknowledged that he executed the same of his own free will and for the purposes set forth.

Sworn before me and subscribed in my presence as of this 9th day of October, 1998.

Smellie H. [Signature]
Notary Public

My Commission Expires August 01, 2000

EXHIBIT A

<u>MARK</u>	<u>SERIAL #</u>	<u>FILED</u>	<u>STATUS</u>
U.S. Trademark Application INTERNET DIRECT	74/646,086	3/13/1995	Published for Opposition 7/1/1997

FOREIGN TRADEMARK REGISTRATIONS

AUSTRIA REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -376	9	161845	1/12/1996	1/31/2006
SPRY -375	16	161846	1/12/1996	1/31/2006

AUSTRIA APPLICATIONS:

NONE

CHINA REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -316	16	988072	4/21/1997	4/20/2007
SPRY -317	9	996487	5/7/1997	5/7/2007

CHINA APPLICATIONS:

NONE

FINLAND REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -278	9 and 16	205157	3/27/1997	3/27/2007

FINLAND APPLICATIONS:

NONE

FRANCE REGISTRATIONS:

NONE

FRANCE APPLICATIONS:

MARK STATUS	CLASS	APP. NO.	APP. DATE	
SPRY -356	9 and 16	95/589048	9/21/1995	Respon 7/23/19 Examin

GERMANY REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -358	9 and 16	39538453.2	3/25/1997	9/30/2005

GERMANY APPLICATIONS:

NONE

GREECE REGISTRATIONS:

NONE

GREECE APPLICATIONS:

MARK STATUS	CLASS	APP. NO.	APP. DATE	Applicat Expect 5/16/19 of Regi
SPRY -357	9 and 16	126386	10/2/1995	

HONG KONG REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -265	9	B171/1998	9/25/1995	9/25/2002
SPRY -266	16	B2204/1998	9/25/1995	9/25/2002

HONG KONG APPLICATIONS:

NONE

IRELAND REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -346	9	172510	9/20/1995	9/20/2002
SPRY -347	16	172511	9/20/1995	9/20/2002

IRELAND APPLICATIONS:

NONE

ITALY REGISTRATIONS:

NONE

ITALY APPLICATIONS:

MARK STATUS CLASS APP. NO. APP. DATE

SPRY -273	9 and 16	RM95C004720	10/13/1995	Power 2/11/19 further f
--------------	----------	-------------	------------	-------------------------------

MEXICO REGISTRATIONS:

NONE

MEXICO APPLICATIONS:

MARK STATUS	CLASS	APP. NO.	APP. DATE	
SPRY -335	9	246767	10/27/1995	Power 5/29/19
SPRY -336	16	246766	10/27/1995	Power 5/29/19

NORWAY REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY		312662	2/17/1997	
SPRY -345	9 and 16	188068	1/22/1998	1/22/2008

NORWAY APPLICATIONS:

MARK STATUS	CLASS	APP. NO.	APP. DATE	
INTERNET OFFICE (and Design) -302	9 and 16	953497	6/7/1995	Respon 2/25/19

SWITZERLAND REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -354	9, 16	437725	9/20/1995	9/20/2005

SWITZERLAND APPLICATIONS:

NONE

U.K. REGISTRATIONS:

MARK	CLASS	REG. NO.	REG. DATE	RENEWAL DUE
SPRY -264	9 and 16	2036000	9/20/1995	9/20/2005

U.K. APPLICATIONS:

NONE