

10-22-1998

EET

Docket No.:

LY

2930.42



100857994

Tab settings

To the Honorable Commissioner of Patents

See attached original documents or copy thereof.

1. Name of conveying party(ies):

Patricia J.S. Isaia d/b/a Util Corporation

10-13-98

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

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

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

Name: Cookietree, Inc.

Internal Address: _____

Street Address: 4122 South 500 West

City: Salt Lake City State: UT ZIP: 84123

Individual(s) citizenship _____

Association _____

General Partnership _____

Limited Partnership _____

Corporation-State of Utah

Other _____

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

(Designations must be a separate document from

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

3. Nature of conveyance:

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

Execution Date: September 29, 1998

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,365,823

Additional numbers

Yes No

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

Name: Jonathan W. Richards

Internal Address: _____

Street Address: Workman, Nydegger & Seeley

1000 Eagle Gate Tower, 60 E. South Temple

City: Salt Lake City State: UT ZIP: 84111

6. Total number of applications and registrations involved:.....

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

10/21/1998 DNGUYEN 00000130 1365823

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.

Jonathan W. Richards

Name of Person Signing

Jonathan W. Richards

Signature

10/6/98

Date

Total number of pages including cover sheet, attachments, and

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: MEGABITE
Reg. No.: 1,365,823
Reg. Date: October 15, 1985
Int'l Cl.: 30 (Prior U.S. 46)

ASSIGNMENT OF TRADEMARK

WHEREAS, PATRICIA J.S. ISAIA d/b/a Util Corporation, a U.S. citizen, adopted and used the mark MEGABITE (hereinafter referred to as the "Trademark") and is currently listed in the records of the U.S. Patent and Trademark Office as the owner of record of the above-referenced federal trademark registration;

WHEREAS, Ms. Isaia is now deceased and her rights to the Trademark and the above referenced registration have passed to her Estate (Ms. Isaia and her Estate being collectively referred to hereinafter as the "Assignor"); and

WHEREAS, COOKIETREE, INC., a Utah corporation with its principal place of business located at 4122 South 500 West, Salt Lake City, Utah 84123 (hereinafter referred to as the "Assignee"), desires to acquire all right, title and interest in and to the Trademark and the registration, thereof;

NOW, THEREFORE, for and in consideration of the foregoing, and for other good and valuable consideration, the receipt, sufficiency and adequacy of which are hereby acknowledged, Assignor does hereby sell, assign and transfer to Assignee all right, title and interest in and to the Trademark, together with the good will of the business symbolized thereby, the above-identified registration thereof, and the right to sue for past infringement thereof.

Without further compensation, but at Assignee's expense, Assignor shall execute all additional documents reasonably necessary to enable Assignee to record the transfer of the Trademark and the above referenced registration to Assignee and to otherwise carry out the purposes and intent of this Agreement.

ESTATE OF PATRICIA J.S. ISAIA

By: Sarah Torilli - Exec.
Sarah Torilli, Executrix

STATE OF Massachusetts
COUNTY OF Middlesex

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared Sarah Torilli, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the Estate of Patricia J.S. Isaia, and that she executed the same as the act of such estate for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 29th day of Sept, 1998.

John T. Cinella, Jr.
Notary Public
My Commission Expires: 3/29/2002

John T. Cinella, Jr.
NOTARY PUBLIC, State of Massachusetts
John T. Cinella, Jr.
(Typed or Printed Name of Notary)

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Commonwealth of Massachusetts

The Trial Court

Middlesex Division

Probate and Family Court Department

Docket No. 97P 3301 EP

Probate of Will With/Without Sureties

Name of Decedent Patricia Isaia aka Patricia Jean Isaia

Domicile at Death 53 Melrose Street Melrose Middlesex 02176

Date of Death July 3, 1997

Name and address of Petitioner(s) Sarah Torilli, 51 Prentiss Street Watertown, MA

Status executrix

Heirs at law or next of kin of deceased including surviving spouse:

Table with 3 columns: Name, Residence, Relationship. Row 1: Mary Isaia Freitas, Lake Worth, Florida, mother.

That said deceased left a will and codicil(s) herewith presented, wherein your petitioner(s) is/are named executrix and wherein the testatrix had requested that your petitioner(s) be exempt from giving surety on her bond(s).

The petitioner(s) hereby certifies that a copy of this document, along with a copy of the decedent's death certificate has been sent by certified mail to the Department of Public Welfare, P.O. Box 86, Essex Station, Boston, Massachusetts 02112.

Wherefore your petitioner(s) pray(s) that said will may be proved and allowed, and that she be appointed executrix thereof without surety on her bond(s) and certifies under the