U.S. Department of Commerce FORM PTO-1618A Patent and Trademark Office Expires 06/30/99 TRADEMARK OMB 0651-0027 02-03-1999 02-09-1999 RE(ET TO: The Commissioner of Patents and 100960699 original document(s) or copy(ies) Submission Type Conveyance Type License **Assignment** New Resubmission (Non-Recordation) **Security Agreement Nunc Pro Tunc Assignment** Document ID # **Effective Date** Merger Month **Correction of PTO Error** Reel # Frame # **Change of Name Corrective Document** Reel # Frame # Other Conveying Party Mark if additional names of conveying parties attached **Execution Date** Month Day Year Name Novell, Inc. 30 1998 **Formerly** Individual Limited Partnership | X | General Partnership Corporation **Association** Other X | Citizenship/State of Incorporation/Organization Delaware **Receiving Party** Mark if additional names of receiving parties attached Name BEA Systems, Inc. DBA/AKA/TA Composed of 2315 North First Street Address (line 1) Address (line 2) Address (line 3) San Jose l951<u>31</u> CA State/Country Zip Code If document to be recorded is an Individual **Limited Partnership General Partnership** assignment and the receiving party is not domiciled in the United States, an Corporation **Association** appointment of a domestic representative should be attached. Other (Designation must be a separate document from Assignment.) Citizenship/State of Incorporation/Organization <u>Delaware</u> 02/08/1999 DHGUYEN 00000280 1549924 FOR OFFICE USE ONLY 40E 40.00 DP 01 FC:481 Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and

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Page 2

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Correspond	dent Name and Address Area Code and Telephone Number (408) 570-8009
Name	Edward G. Durney, Esq.
Address (line 1)	BEA Systems, Inc.
Áddress (line 2)	2315 North First Street
Address (line 3)	San Jose, CA 95131
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attac	the best of my knowledge and belief, the foregoing information is true and correct and any ched copy is a true copy of the original document. Charges to deposit account are authorized, as cated herein.
Edwa	ard G. Durney, Esq. Cawardo. + 1/27/ga
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ASSIGNMENT OF TRADEMARKS

WHEREAS, NOVELL, INC., a Delaware corporation having its principal executive offices at 122 East 1700 South, Provo, Utah 84606 ("Novell"), is the owner of U.S. Trademark Registration No. 1,549,924, Class 9 for "TUXEDO".

WHEREAS, BEA SYSTEMS, INC., a Delaware corporation with its place of business at 2315 North First Street, San Jose, California 95131 ("BEA") is desirous of acquiring all of Novell's right, title and interest in and to said trademarks and trademark applications.

NOW, THEREFORE, for good and valuable consideration, receipt of which is acknowledged, Novell hereby assigns to BEA, all of Novell's right, title and interest in and to said trademarks and trademark applications, and all goodwill associated therewith, and subject to any and all existing licenses, all of Novell's right, title and interest in said trademarks and trademark applications, including the right to sue for past, present and future infringement.

Nothing in this Assignment of Trademarks, expressed or implied, is intended or shall be construed to confer upon, or to give to, any person, firm, corporation, or other entity other than Novell, BEA and their respective successors and permitted assigns, any right or remedy under or by reason of this Assignment of Trademarks or any term, covenant, or condition hereof, and all the terms, covenants, conditions, promises, and agreements contained in this Assignment of Trademarks shall be for the sole and exclusive benefit of Novell, BEA and their respective successors and permitted assigns.

A.

Signed at Provo, Utah, this day of November, 1998	3.
NOVELL, INC.	
By: Juliul Offe	
Name: Limma C. Kife	
Title: V.P Assistant Corp. Sceretom	
State of Utah	
)ss. County of Utah)	
Subscribed and sworn to before me on this <u>30</u> day of <u>Avenber</u> , 1998.	
Rotary Public Notary Public	
Notary Public LORI BERRY 1555 N. Technology Wy. Sta. A234 Overn Litab 84007	
Commission Expires: July 20, 1999	

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