

**MRD 3-15-99**

**TR**



To the Honorable Commissioner of Patents

100989304

nal documents or copy thereof.

1. Name of conveying party(ies):

Sweet Pea Technologies, Inc.  
Suite 1704, 300 Delaware Avenue  
Wilmington, Delaware 19801

- Individual(s)
- General Partnership
- Corporation
- Other \_\_\_\_\_
- Association
- Limited Partnership

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

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

EKC Technology, Inc.  
2520 Barrington Court  
Hayward, California 94545

- Individual(s) citizenship: \_\_\_\_\_
- Association: \_\_\_\_\_
- General Partnership: \_\_\_\_\_
- Limited Partnership: \_\_\_\_\_
- Corporation: California
- Other: \_\_\_\_\_

3. Nature of Conveyance:

- Assignment
- Security Agreement
- Other: \_\_\_\_\_
- Merger
- Change of Name

Execution Date: December 31, 1997

If assignee is not domiciled in the United States, a domestic representative designation is attached  Yes  No  
(Designation must be a separate document from Assignment)  
Additional name(s) & addresses attached?  Yes  No

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

A. Trademark Application No.(s):

B. Trademark Reg. No.(s): 2,189,426

Additional numbers attached  Yes  No

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

Harriet E. Perkins, Esq.  
Seidel, Gonda, Lavorgna & Monaco, P.C.  
Suite 1800 Two Penn Center Plaza  
Philadelphia, PA 19102

Attorney Docket No. 9387-G

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: 19-1135

DO NOT USE THIS SPACE

9. 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.

HARRIET E. PERKINS, ESQ.

Name of Person Signing

*Harriet E. Perkins*  
Signature

11 March 1999

Date

Total number of pages including cover sheet, attachments and document: 3

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

03/18/1999 JWR/KINS 00000012 19-1135 40.00 CH 01 FC:461

## NUNC PRO TUNC ASSIGNMENT

WHEREAS, Sweet Pea Technologies, Inc. (hereafter "SWEET PEA"), a Delaware corporation with a place of business at Suite 1704, 300 Delaware Avenue, Wilmington, Delaware 19801, adopted, used and was the owner of the mark "ULTRAPLANE" for "polishing slurries for the semiconductor industry," which subsequently registered on September 15, 1998 in the United States Trademark Office under Registration No. 2,189,426 (hereinafter "the Trademark"), and the goodwill of the business symbolized by the Trademark;

WHEREAS, on December 31, 1997, SWEET PEA did assign the Trademark and the goodwill of the business symbolized by the Trademark to EKC Technology, Inc., a California corporation with a place of business at 2520 Barrington Court, Hayward, California 94545 (hereinafter "EKC"); and

WHEREAS, SWEET PEA and EKC are desirous of making this Assignment a matter of record in the U.S. Patent and Trademark Office.

NOW, THEREFORE, for good and valuable consideration, the full receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, SWEET PEA hereby acknowledges that it did on December 31, 1997, sell, assign, transfer and convey unto EKC all of its right, title and interest in the Trademark, including any choses in action relating to the Trademark, claims for damages, profits and costs, both in equity and law, for any infringement or infringements of the Trademark accruing on or before the date of this Assignment, together with the goodwill of the business symbolized by the Trademark, and including the registration thereof as set forth above; and further, SWEET PEA hereby covenants, agrees and

undertakes to execute, whenever requested by EKC, all applications, assignments, lawful oaths and any other papers which EKC may deem necessary or desirable for securing to EKC or for maintaining for EKC the Trademark hereby acknowledged to have been assigned, and the choses in action therefor, all without further compensation to SWEET PEA.

SWEET PEA TECHNOLOGIES, INC.

BY: *Joseph Sternberg*  
JOSEPH STERNBERG  
President

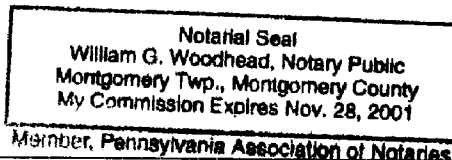
COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF MONTGOMERY :

BEFORE ME, the undersigned authority, on this 8th day of March, 1999, personally appeared JOSEPH STERNBERG, personally known to me (or proven to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument as President of Sweet Pea Technologies, Inc., the corporation therein named, and acknowledged to me that the instrument was the free deed and act of said corporation for the purposes set forth therein and intending that this instrument be recorded.

[SEAL]

*William G. Woodhead*  
NOTARY PUBLIC

My Commission Expires: November 28, 2001



Printed or stamped name of notary