

MMO 3-15-99

FORM PTO-1504 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
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TMC5/REV03

RECORDATION FORM COVER SHEET

Docket No.:

03-26-1999

8309-23866

Tab settings



To the Honorable Commissioner of Patents

Attached original documents or copy thereof.

100994471

1. Name of conveying party(ies):

iXL Enterprises, Inc.
iXL, Inc.
iXL-San Diego, Inc.

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

Name: Siteman, Inc.
Internal Address: Suite 400
Street Address: 2953 Bunker Hill Lane
City: Santa Clara State: CA ZIP: 95054

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

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

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

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

3. Nature of conveyance:

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

Execution Date: January 29, 1999

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

A. Trademark Application No.(s)

(75/414,889)

B. Trademark Registration No.(s)

2134087

Additional numbers attached? Yes No

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

Name: Tammy M. Krieger
Internal Address: Morris, Manning & Martin, L.L.P.
Suite 1600
Street Address: 3343 Peachtree Road NE
City: Atlanta State: GA ZIP: 30326

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

2

7. Total fee (37 CFR 3.41):.....\$ \$65.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

03/26/1999 DNGUYEN 00000042 2134087

DO NOT USE THIS SPACE

FC:481 40.00 OP
FC:482 25.00 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.

Tammy M. Krieger
Name of Person Signing

March 10, 1999
Date

Total number of pages including cover sheet, attachments, and document: 6

TRADEMARK
REEL: 1875 FRAME: 0897

ASSIGNMENT AND ASSUMPTION OF REGISTERED TRADEMARKS

THIS ASSIGNMENT AND ASSUMPTION OF REGISTERED TRADEMARKS is made as of this 27th day of JANUARY 1999, by and between **IXL Enterprises, Inc., IXL, Inc. and IXL-San Diego, Inc.**, each a Delaware corporation ("Sellers"), and **Siteman, Inc.**, a California corporation ("Purchaser").

WHEREAS, Purchaser and Sellers are parties to an Asset Purchase Agreement of even date herewith (the "APA") (capitalized terms used but not defined herein shall have the meanings assigned to them in the APA) by and between Purchaser and Sellers;

WHEREAS, Sellers or one or more of them have certain rights, title and interest in and to certain trademarks and the good will appurtenant thereto and certain trademark registrations therefor, which trademarks and registrations are listed and described in ANNEX "A" attached hereto (the "Marks"); and

WHEREAS, Purchaser desires to acquire the entire right, title and interest in and to the Marks and registrations;

NOW, THEREFORE, for good and valuable consideration paid by Purchaser to Sellers, the receipt and sufficiency of which are hereby acknowledged, Sellers do hereby sell, assign and transfer unto Purchaser, and Purchaser does hereby accept and assume, the entire right, title and interest in and to the Marks and registrations therefor, together with the good will appurtenant thereto and the entire right, title and interest in and to any equity arising out of past, present or future infringement of the Marks.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Assignment and Assumption of Registered Trademarks on the date first above written.

"PURCHASER"

SITEMAN, INC.

By: _____
Name:
Title:

"SELLERS"

IXL ENTERPRISES, INC.

By: U. Bertram Ellis, Jr.
Name: U. Bertram Ellis, Jr.
Title: Chairman

IXL, INC.

By: U. Bertram Ellis, Jr.
Name: U. Bertram Ellis, Jr.
Title: Director

IXL-SAN DIEGO, INC.

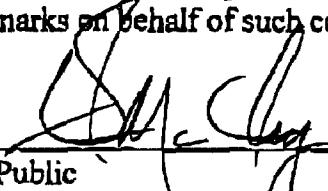
By: U. Bertram Ellis, Jr.
Name: U. Bertram Ellis, Jr.
Title: Director

[NOTARY SIGNATURES APPEAR ON FOLLOWING PAGE]

STATE OF GEORGIA)

COUNTY OF FULTON)

The foregoing Assignment and Assumption of Registered Trademarks was acknowledged before me this 27th day of January 1999, by U. Bertram Ellis, Jr. who being duly sworn, did say that he/she is the Chairman of IXL Enterprises, Inc., a Delaware corporation, and has executed this Assignment and Assumption of Registered Trademarks on behalf of such corporation.



Notary Public

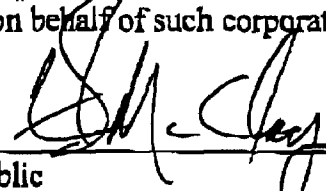
Notary Public, Cobb County, Georgia.
My Commission Expires July 23, 2000.

My commission expires: _____

STATE OF GEORGIA)

COUNTY OF FULTON)

The foregoing Assignment and Assumption of Registered Trademarks was acknowledged before me this 27th day of January 1999, by U. Bertram Ellis, Jr. who being duly sworn, did say that he/she is the Director of IXL, Inc., a Delaware corporation, and has executed this Assignment and Assumption of Registered Trademarks on behalf of such corporation.



Notary Public

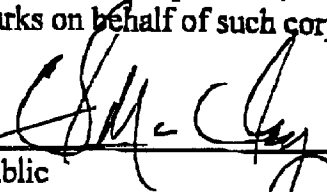
Notary Public, Cobb County, Georgia.
My Commission Expires July 23, 2000.

My commission expires: _____

STATE OF GEORGIA)

COUNTY OF FULTON)

The foregoing Assignment and Assumption of Registered Trademarks was acknowledged before me this 29th day of January 1999, by U. Bertram Ellis, Jr. who being duly sworn, did say that he/she is the Director of IXL San Diego, Inc., a Delaware corporation, and has executed this Assignment and Assumption of Registered Trademarks on behalf of such corporation.



Notary Public

Notary Public, Cobb County, Georgia.
My Commission Expires July 23, 2000.

My commission expires: _____

STATE OF CALIFORNIA

COUNTY OF _____)

The foregoing Assignment and Assumption of Registered Trademarks was acknowledged before me this _____ day of _____, 1999, by _____ who being duly sworn, did say that he/she is the _____ of Siteman, Inc., a California corporation, and has executed this Assignment and Assumption of Registered Trademarks on behalf of such corporation.

Notary Public

My commission expires: _____

ANNEX A

Owner	Registration Number	Trademark	Status	Filing Date	Specifications of Goods/Services
U.S. (iXL Holdings, Inc.)	75/414,889	SITEMAN™	Amendment to Allege Use filed 7/27/98 Examiner's Amendment issued 9/22/98; Examiner reports that she has found no similar registered or pending marks that would bar registration	1/7/98 ITU	Computer software for use in digital publishing (9)
Canada (iXL Holdings, Inc.)	874587	SITEMAN™	Examiner's Report received 9/3/98 Response Filed 12/22/98 Canadian counsel were instructed on 1/29/99 to record name change to iXL Enterprises, Inc.	4/7/98	Computer software in the nature of template tools for Website creation and management
U.S. (CommerceWAVE, Inc.)	2134087	MERCHANTWAVE®	Published for opposition 11/11/97 DATE OF FIRST USE: 9/1/96; DATE OF FIRST USE IN COMMERCE 9/10/96 Registration Date 2/3/97	11/22/96	Custom computer software design for others; home page design for a global computer network; electronic catalog design for others for use on a global computer network; hosting the web sites of others on a computer server for a global computer network; consulting services in the field of online retailing.

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