

04-14-1999



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commission
original documents or copies

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s: Please record the attached

41.6.99

<p>1. Name of conveying party(ies): NexTek Software Corp.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State Colorado <input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying party(ies) attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies) International Business Machines Corporation</p> <p>Name: _____ Internal Address: _____ Street Address: New Orchard Road City: Armonk State: NY Zip: 10504</p> <p><input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State New York <input type="checkbox"/> Other _____</p>
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<p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: September 15, 1998</p>	<p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from Assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s) 75/398014 75/397999 75/399180 75/397985 75/397984 Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>B. Trademark registration No.(s)</p>
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<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Jennifer D. Goff IBM Corporation</p> <p>Address: North Castle Drive Armonk New York 10504 City: _____ State: _____ Zip: _____</p>	<p>6. Total number of applications and registrations involved: 5</p> <p>7. Total fee (37 CFR 3.41): \$ 140.00</p> <p><input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: DA 090474</p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
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04/13/1999 JSM/BAZZ/00000114 090474 75398014
01 FC:481
02 FC:482

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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.

Jennifer D. Goff *Jennifer D. Goff* **4/5/99**
Name of Person Signing Signature Date

Total number of pages comprising cover sheet: **2**

TRADEMARK ASSIGNMENT

WHEREAS, the Companies, NexTek Software Corp., a corporation organized and existing under the laws of the State of Colorado, and Tanning Technology Corporation, a corporation organized and existing under the laws of the State of Delaware, both having an office at 4600 South Ulster Street, Suite 380, Denver, CO 80237 (hereinafter both referred to as the "Assignors") have adopted and used the following trademarks and the United States Patent and Trademark Office application for registration therefor:

<u>TRADEMARK</u>	<u>APPROXIMATE DATE OF FILING</u>	<u>APPLICATION NUMBER</u>
IW * MANAGER	12/1/97	75/398014
IW * TRACKER	12/1/97	75/397999
IW * WEBSERVER	12/1/97	75/399180
IW * AGENT	12/1/97	75/397985
IW * SERVER	12/1/97	75/397984

WHEREAS, the Companies and International Business Machines Corporation ("IBM") have entered into Asset Purchase Agreement Number SOM982001 dated August 27, 1998 (the "Purchase Agreement"); and

WHEREAS, as part of the Purchase Agreement, the Assignors wish to assign and transfer said trademarks to IBM, a corporation organized and existing under the laws of the State of New York, having a place of business at Route 100, Somers, NY 10589 (hereinafter referred to as the "Assignee");

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignors do hereby sell, assign and transfer unto the Assignee all right, title and interest in and to the trademarks and United States Patent and Trademark Office application thereof as well as any common law interest or rights to any trademarks relating to the Assets (including but not limited to the common law marks IW * Query Monitor, IW * OpenClient, IW * WinClient and IW * Connect), together with the goodwill associated therewith

IN WITNESS WHEREOF, this Assignment has been executed on behalf of the Assignors by their duly authorized officers as of September 15, 1998.

NexTek Software Corp.
By: [Signature]
Title: Vice President and G.M.

Tanning Technology Corporation
By: [Signature]
Title: Vice President Sales, N.A.

Party:

NAME OF ADDITIONAL CONVEYING PARTY:

TANNING TECHNOLOGY CORPORATION

CORPORATION - STATE OF DELAWARE