

03/19/05

FORM PTO-1618A

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

04-17-2000



101321458

REGISTRATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID # _____
- Correction of PTO Error
Reel # _____ Frame # _____
- Corrective Document
Reel # _____ Frame # _____

Conveyance Type

- Assignment
 - License
 - Security Agreement
 - Nunc Pro Tunc Assignment
 - Merger
 - Change of Name
 - Other _____
- Effective Date
Month Day Year
01 19 1999

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name Ubiquity Software Corporation Limited

01 05 2000

Formerly _____

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other _____

Citizenship/State of Incorporation/Organization England and Wales

Receiving Party

Mark if additional names of receiving parties attached

Name New Heights Software Corporation

DBA/AKA/TA _____

Composed of _____

Address (line 1) 1006 Government Street

Address (line 2) _____

Address (line 3) Victoria British Columbia Canada V8W 1X8
City State/Country Zip Code

- Individual
 - General Partnership
 - Limited Partnership
 - Corporation
 - Association
 - Other _____
- If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Citizenship/State of Incorporation/Organization Canada

FOR OFFICE USE ONLY

04/17/2000 DNGUYEN 00000084 75513534

01 FC:481

(40.00 OR)

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 gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 002052 FRAME: 0589

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name Jeffrey A. Smith

Address (line 1) Cohen and Smith

Address (line 2) 1745 Jefferson Davis Highway

Address (line 3) 612 Crystal Square 4

Address (line 4) Arlington, Virginia 22202 U.S.A.

Correspondent Name and Address

Area Code and Telephone Number (703) 416-4677

Name Jeffrey A. Smith

Address (line 1) Cohen and Smith

Address (line 2) 1745 Jefferson Davis Highway

Address (line 3) 612 Crystal Square 4

Address (line 4) Arlington, Virginia 22202 U.S.A.

Pages Enter the total number of pages of the attached conveyance document including any attachments. # 4

Trademark Application Number(s) or Registration Number(s) Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

75513534

Number of Properties Enter the total number of properties involved. # 1

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment: check 1598 Enclosed Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

Authorization to charge additional fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

Jeffrey A. Smith

Jeffrey Smith

03/16/2000

Name of Person Signing

Signature

Date Signed

THIS ASSIGNMENT is made the 5th day of January 1999-2000

BETWEEN UBIQUITY SOFTWARE CORPORATION LIMITED of Ubiquity House, Langstone Park, Newport, NP6 2LH, United Kingdom (hereinafter called "the Assignor") of the one part and NEWHEIGHTS SOFTWARE CORPORATION of 1006 Government Street Victoria, British Columbia, V8W 1X8, Canada (hereinafter called "the Assignee") of the other part.

WHEREAS

- (A) The Assignor is the owner in the United States of US trade-mark application serial no. 75-513534 set forth in the Schedule hereto (hereinafter called "the Application");
- (B) It was agreed between the parties hereto that the Application should be assigned by the Assignor to the Assignee with effect from January 19 1999 for the consideration hereinafter mentioned.

NOW THIS ASSIGNMENT WITNESSES:

In pursuance of the said agreement and in consideration of the sum of CDN \$1.00 the receipt and sufficiency of which are hereby acknowledged by the Assignor, the Assignor with full title guarantee hereby assigns unto the Assignee ALL the property, right, title and interest in the Registered Trade Mark including all common law rights connected with TOGETHER with the whole of the goodwill associated with the Application.

TO HOLD unto the Assignee absolutely.

SCHEDULE ABOVE REFERRED TO

Mark	Number	Status	Class of Goods
INTERTWAIN	75-513534	Pending	9

COHEN & SMITH
ATTORNEYS AT LAW
1745 JEFFERSON DAVIS HIGHWAY
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OF COUNSEL
DENNISON, MESEROLE,
POLLACK & SCHEINER
ROBERT J. ENDERS, ESQ.
(ADMITTED IN NY & CA)

INTELLECTUAL
PROPERTY LAW

March 16, 2000

Assistant Commissioner for Trademarks
Box Assignments - Fee
2900 Crystal Drive
Arlington, VA 22202-3513

RE: Trademark Assignments

Dear Sir or Madame:

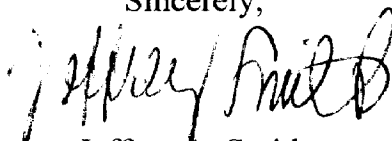
Please find one (1) trademark conveyance with recordation form cover sheets and conveyance documents as follows:

1. Nunc Pro Tunc Assignment of one (1) property (INTERTWAIN Application Serial No. 75/513,534) from Ubiquity Software Corporation Limited (England & Wales) to NewHeights Software Corporation (Canada). The requisite fee of \$40.00 (Check No. 1598) is included herewith.

Additionally, a Power of Attorney and an Appointment of a Domestic Representative are included with the one (1) conveyance.

If you have any questions, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely,



Jeffrey A. Smith

TRADEMARK
REEL: 002052 FRAME: 0592

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

NewHeights Software Corporation

Examiner: Kathleen Vanston

Serial No.: 75/513,534

Mark: INTERTWAIN (Stylized Form)

Law Office: 103

Filing Date: July 06, 1998


REVOCATION AND APPOINTMENT OF POWER OF ATTORNEY

The undersigned hereby revokes any previous powers of attorney granted in the subject pending application to Jonathan M. Feigenbaum, Esq. of Jeffrey J. Phillips & Assoc., PC (Phillips & Angley) 1 Bowdoin Square, Boston Massachusetts 02114 and his associates, members and affiliates both individually and collectively and hereby appoints Jeffrey A. Smith, Esq., a member of the bar of the State of Florida and Jeffrey R. Cohen, Esq., a member of the bar of the State of Virginia of Cohen & Smith, Attorneys at Law, 1745 Jefferson Davis Highway, Suite 612, Crystal Square IV Arlington, Virginia 22202, as his attorneys to prosecute this application to registration with full power of substitution and revocation, to transact all business in the Patent and Trademark Office connected therewith and to receive the Certificate of Registration. Please direct all communications in regard to this application to Jeffrey A. Smith at (703) 416-4677.

DESIGNATION OF A DOMESTIC REPRESENTATIVE

Applicant hereby designates Jeffrey A. Smith and Jeffrey R. Cohen of the firm of Cohen & Smith whose postal address is 1745 Jefferson Davis Highway, Suite 612, Crystal Square IV, Arlington, Virginia 22202 as applicant's representative upon whom notice or process in proceedings affecting the mark may be served.

Dated: November 29, 1999



Owen Matthews
NewHeights Software Corporation - President

IN WITNESS whereof the parties have executed this Assignment the day and year first
above written.

EXECUTED as a DEED by)
UBIQUITY SOFTWARE)
CORPORATION LIMITED)
acting by:-

Signed: Simon J. Gibson

Name: SIMON J. GIBSON

Capacity: Director

Signed: Michael Doyle

Name: MICHAEL DOYLE

Capacity: Director / ~~Secretary~~