

04-25-2000

TRAC



To the Honorable Commissioner of Patents and Trademarks

101334062

Documents or copy thereof.

1. Name of conveying party(ies):  
Hyperion Telecommunications, Inc. MAR 27 PM 2:14

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

Name: Hyperion Solutions Corporation

Internal Address: \_\_\_\_\_

Street Address: 900 Long Ridge Road

City: Stamford State: CT ZIP: 06902

☐ Individual(s) citizenship☐ Association☐ General Partnership☐ Association☐ General Partnership☐ Limited Partnership☒ Corporation-State Delaware☐ OtherIf 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 names(s) & address(es) attached? ☐ Yes ☐ NoIndividual(s) ☐ Association  
General Partnership ☐ Limited Partnership☒ Corporation-State of Delaware

Other \_\_\_\_\_

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

3. Nature of conveyance:

☒ Assignment ☐ Merger☐ Security Agreement ☐ Change of Name☐ Other \_\_\_\_\_Execution Date: Hyperion Telecommunications, Inc. - 02/09/2000  
Hyperion Solutions Corporation - 12/09/99

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

A. Trademark Application No(s).

75/267.859

B. Trademark Registration No(s).

Additional numbers attached? ☐ Yes ☒ No

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

Name Barry R. Lipsitz

Internal Address: \_\_\_\_\_

Street Address: 755 Main Street

City: Monroe State: CT ZIP: 06468

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:

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

DO NOT USE THIS SPACE

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.

Barry R. Lipsitz

Name of Person Signing

Signature

March 23, 2000

Date

04/24/2000 TTON11 00000388 75267859

01 FC:481

40.00 DP

Total number of pages including cover sheet, attachments and document: 4

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231TRADEMARK  
REEL: 002058 FRAME: 0903

## **ASSIGNMENT OF TRADEMARKS**

WHEREAS, Hyperion Telecommunications, Inc., a corporation organized under the laws of the State of Delaware, with offices located at DDI Plaza Two, 500 Thomas Street, Suite 400, Bridgeville, PA 15107 ("HTI"), has adopted, used and is using in its business the trademark HYPERION (hereinafter referred to as "the Trademark"); and

WHEREAS, Hyperion Solutions Corporation, a corporation organized under the laws of the State of Delaware, with offices located at 900 Long Ridge Road, Stamford, CT 06902 ("HSC"), is desirous of acquiring all worldwide right, title and interest in and to the Trademark that may be owned by HTI;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said Hyperion Telecommunications, Inc. does hereby sell and assign unto the said Hyperion Solutions Corporation all of HTI's right, title and interest in and to the Trademark and all variations thereof used at any time by HTI, and all applications and registrations therefor owned by Hyperion Telecommunications, Inc. throughout the world, together with that part of the goodwill of the business solely connected with and symbolized by said marks (but no other goodwill of the business) and with the right to recover and have damages and profits for past infringement, if any; provided that such sale and assignment shall not include any trade names, marks or components thereof used by HTI other than

HYPERION that are not confusingly similar to HYPERION, including but not limited to ADELPHIA.

Hyperion Telecommunications, Inc. agrees to execute all documents and take all other reasonable steps requested by Hyperion Solutions Corporation, its successors, assigns and legal representatives to aid in securing and registering the Trademark and for vesting title to the Trademark and any applications and registrations therefor in Hyperion Solutions Corporation and its successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their duly authorized corporate officers on the date(s) set forth below.

HYPERION SOLUTIONS CORPORATION

By: Stephen Imbler

Name Printed: Stephen Imbler

Title: President and Chief Operating Officer

Date: December 9, 1999

HYPERION TELECOMMUNICATIONS, INC.

By: John Glicksman

Name Printed: John Glicksman

Title: Vice President & General Counsel

Date: 2/9/00

State of Pennsylvania )  
County of Pott ) SS :

On this 9th day of February 2000, before me personally appeared John Glicksman, who being sworn did depose and say that he is the Vice President of Hyperion Telecommunications, Inc., the corporation described in the foregoing instrument, and that he executed the foregoing instrument by authority of said corporation.

Melody A. Heller  
Notary Public  
My commission expires:

State of California )  
County of Santa Clara ) SS :

Notarial Seal  
Melody A. Heller, Notary Public  
Coudersport Boro, Potter County  
My Commission Expires Nov. 17, 2001

On this 9th day of ~~November~~ <sup>December</sup>, 1999, before me personally appeared Stephen Imbler, who being sworn did depose and say that he is the COO/President of Hyperion Solutions Corporation, the corporation described in the foregoing instrument, and that he executed the foregoing instrument by authority of said corporation.

Linda Wallick

Notary Public

My commission expires: 8/29/02

