

05-17-2000



101360247

HEET

ILY

Docket No.:

429981/025

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To the Honorable Commissioner of Patents and Trademarks

the attached original documents or copy thereof.

1. Name of conveying party(ies): 5-1-00
Illinois Power Company

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State **Illinois**
 Other _____

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

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

Name: **James Moy**

Internal Address: _____

Street Address: **136-07 63rd Avenue**

City: **Flushing** State: **NY** ZIP: **11367**

Individual(s) citizenship **United States**
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State _____
 Other _____

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from
Additional name(s) & address(es) Yes N

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: **April 19, 2000**

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

A. Trademark Application No.(s)

75/317,622

Additional numbers Yes No

B. Trademark Registration No.(s)

Additional numbers Yes No

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

Name: **Laura E. Goldbard, Esq.**

Internal Address: **Stroock & Stroock & Lavan LLP**

Street Address: **180 Maiden Lane**

City: **New York** State: **NY** ZIP: **10038**

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:

19-4709

05/17/2000 DNGUYEN 00000056 194709 75317622 DO NOT USE THIS SPACE

01 FC:481 **40.00 CH**

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.

Laura E. Goldbard *Laura E. Goldbard* **April 28, 2000**
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and **6**

ASSIGNMENT

WHEREAS, Illinois Power Company, an Illinois corporation located and having a principal place of business at 500 South 27th Street, Decatur, Illinois, 62521-2200 (hereinafter referred to as "IP"), is using the mark NOVATION, and owns United States Trademark Application Serial No. 75/317,622 (the '622 application) and State of Illinois Trademark Registration No. 081465 (the '465 registration) for that mark; and

WHEREAS, James Moy, an individual residing at 136-07 63rd Avenue, Flushing, New York, 11367-1010 (hereinafter referred to as "Moy"), wants to acquire all right, title, and interest of IP in and to the mark NOVATION, including all right, title, and interest in and to the '622 application and the '465 registration, together with the goodwill of the business symbolized by that mark.

NOW, THEREFORE, in consideration of the following covenants, the parties hereby agree:


1. IP hereby assigns to Moy all right, title, and interest which it possesses in and to the mark NOVATION, including United States Trademark Application Serial No. 75/317,622 and State of Illinois Trademark Registration No. 081465, together with the goodwill of the business symbolized by that mark.
2. IP agrees to complete, execute and return to Moy within ten (10) days of the execution of this Agreement, the Trademark Assignment Application attached hereto as Attachment A.
3. Within ten (10) days of receiving a completed and executed Trademark Assignment Application, Moy shall pay IP \$3000 by certified check, cashiers check, or money order, payable to Illinois Power Company.
4. IP represents and warrants that it: a) will not use the mark NOVATION or any mark confusingly similar thereto after the date of execution of this Agreement; and b) has not granted rights in and to the mark NOVATION, the '622 application, or the '465 registration to any

third party.

5. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and supersedes any previous or contemporaneous oral or written agreements regarding such subject matter. This Agreement may be amended or modified only by a written instrument signed by a duly authorized agent of each party.

THEREFORE, the parties have executed this Agreement as of the date of final execution by both parties.

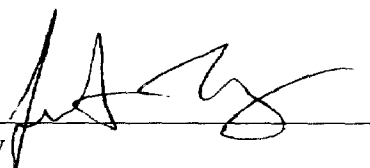
ILLINOIS POWER COMPANY

By: 
Kathryn L. Patton

Title: Vice President and General Counsel

Date: 4/19/00

JAMES MOY

By: 
James Moy

Date: 4/19/2000

ATTACHMENT A



STATE OF ILLINOIS
**TRADEMARK OR SERVICEMARK
 ASSIGNMENT APPLICATION**

Complete and Return with \$5 Recording Fee
Must be typewritten

WHEREAS:

1. Name of Present Owner Illinois Power Company
Assignor
2. Business Address 500 South 27th Street
Street
Decatur Illinois 62521-2200
City State ZIP Code
3. Is present owner a (check one)
 Corporation Union General Partnership Limited Liability Partnership (LLP)
 Individual Association Limited Partnership (LP) Limited Liability Company (LLC)
 Other (specify) _____
4. A. If a Corporation, LP, LLP, or LLC, in what state is it organized? Illinois
 B. If an LP or LLP what is the name of one of the general partners? _____
5. Has adopted and used the Novation
(trademark or servicemark)
 which is registered under number 081465 as of October 28, 19 99
(original registration date)
 in the Office of the Secretary of State of Illinois.

NOW, THEREFORE, to all whom it may concern:

Be it known that for good and valuable consideration, the receipt of which is hereby acknowledged, said owner has sold, assigned, and transferred the registered mark, and by these presents does sell, assign and transfer unto:

6. Name of New Owner James Moy
Assignee
7. Business Address 135-07 63rd Avenue
Street
Flushing, NY 11367
City State ZIP Code
8. Is new owner a (check one)
 Corporation Union General Partnership Limited Liability Partnership (LLP)
 Individual Association Limited Partnership (LP) Limited Liability Company (LLC)
 Other (specify) _____
9. A. If a Corporation, LP, LLP, or LLC, in what state is it organized? _____
 B. If an LP or LLP, what is the name of one of the general partners? _____
10. The entire right, title and interest in and to the said Novation
(trademark or servicemark)
 and the registration thereof, together with the good will of the business in connection with which the said mark is used, or with that part of the goodwill of the business connected with.

(over)

The undersigned affirms, under penalty of perjury, that the facts stated herein are true.

x 
Signature of Assignor (Old Owner)

Kathryn L. Patton

Type or Print Name of Assignor

Vice President, General Counsel - Illinois Power

Official Capacity

RETURN TO:
Secretary of State's Office
Department of Business Services
Trademark Division
3rd Floor, Howlett Building
Springfield, IL 62756

(217) 524-0400
<http://www.sos.state.il.us>