

05-18-2000



HEET

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

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101361168

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Stratus Computer, Inc.

- Individual(s) Association
General Partnership Limited Partnership
Corporation-State
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: March 15, 2000 and March 29, 2000

2. Name and address of receiving party(ies)

Name: Stratus Computer Systems, S.a.r.l.

Internal Address:

Street Address: Zugerstrasse 76 CH-6340 Switzerland

City: Baar State: ZIP:

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

4. Application number(s) or patent number(s): See attachment A

A. Trademark Application No.(s)

75/598,920

B. Trademark Registration No.(s)

1,267,767

Additional numbers attached? Yes No

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

Name: Thomas C. O'Konski

Internal Address:

Refund Ref: 5/17/2000 JSWBAZZ 0000093887

CHECK Refund Total: \$90.00

Street Address: Cesari and McKenna

30 Rowes Wharf

City: Boston State: MA ZIP: 02110

6. Total number of applications and registrations involved: 7

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

- Enclosed
Authorized to be charged to deposit account

8. Deposit account number:

03-1237

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

05/17/2000 JSWBAZZ 00000051 75598920

01 FC:441 40.00 OP
02 FC:482 150.00 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.

Thomas C. O'Konski
Name of Person Signing

[Signature]
Signature

4/24/00
Date

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

TRADEMARK
REEL: 002075 FRAME: 0268

**ATTACHMENT A**

Additional Registrations to be recorded:

1,305,730  
1,321,477  
1,474,016  
1,513,375  
2,001,821

### Assignment

WHEREAS, Stratus Computer, Inc. ("Assignor"), whose street address is 55 Fairbanks Blvd., Marlborough, MA 01752, owns the following trademarks and trademark applications, together with the goodwill of the trademarks as symbolized by such trademarks, listed in Attachment A (the "Marks");

WHEREAS, Stratus Computer Systems, S.à r.l. ("Assignee"), a Luxembourg corporation, whose address is Zugerstrasse 76 CH-6340, Baar, Switzerland, has purchased a substantial portion of the business and assets of Stratus Computer, Inc. pursuant to an Asset Purchase Agreement executed between the two parties on February 26, 1999;

WHEREAS, Stratus Computer Systems, S.à r.l. is desirous of acquiring the Marks and the goodwill attributable thereto, including the on-going business symbolized by the Marks, and the pertinent trademark applications;

NOW THEREFORE, in consideration of and in exchange for the sum of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee all right, title and interest in and to the Marks, together with the goodwill attributable thereto, including the on-going business symbolized by the Marks and the pertinent trademark applications, and including the right to sue for present, past and future infringement. This assignment is effective as of February 26, 2000, the date of the first anniversary of the divestiture between Assignee and Assignor as agreed by the parties and upon the terms and conditions set forth in the Asset Purchase Agreement between the parties dated February 26, 1999.



**POWER OF ATTORNEY AND  
APPOINTMENT OF DOMESTIC  
REPRESENTATIVE**

Stratus Computer Systems, S.A r.l. ("Assignee"), a Luxembourg corporation, whose address is Zugerstrasse 76 CH-6340 Baar, Switzerland, hereby appoints Michael E. Auaya, Reg. No. 31,731; Charles J. Barbas, Reg. No. 32,959; Joseph H. Born, Reg. No. 28,283; Robert A. Cesari, Reg. No. 18,381; Yong S. Choi, Reg. No. 43,324; Brian C. Dauphin, Reg. No. 40,983; Steven J. Frank, Reg. No. 33,497; Christopher K. Gagne, Reg. No. 36,142; A. Sidney Johnston, Reg. No. 29,548; William A. Loginov, Reg. No. 34,863; John F. McKenna, Reg. No. 20,912; Martin J. O'Donnell, Reg. No. 24,204; Thomas C. O'Konski, Reg. No. 26,320; Michael R. Reinemann, Reg. No. 38,280; Rita M. Rooney, Reg. No. 30,585; Patricia A. Sheehan, Reg. No. 32,301; and Joseph Stecowycz, Reg. No. 34,442, Cesari and McKenna, 30 Rowes Wharf, Boston, MA 02110, jointly, and each of them severally, my attorneys at law, with full power of substitution, delegation, and revocation, to prosecute the following applications to register, to make alterations and amendments therein, to receive the certificate of registration, and to transact all business in the Patent and Trademark Office connected therewith in connection with the following U.S. Trademarks:

<u>Serial/Reg. No.</u>	<u>Mark:</u>
75/598,920	THE AVAILABILITY COMPANY
1,267,767	STRATUS & Des.
1,305,730	STRATUS
1,321,477	CONTINUOUS PROCESSING
1,474,016	STRATANET
1,513,375	STRATALINK
2,001,821	CONTINUUM

Please direct all telephone calls to Thomas C. O'Konski (617) 951-2500. Please address all correspondence to Thomas C. O'Konski at Cesari and McKenna, 30 Rowes Wharf, Boston, MA 02110.

Applicant hereby designates Thomas C. O'Konski, whose postal address is

Cesari and McKenna, LLP, 30 Rowes Wharf, Boston, MA 02110, Applicant's Domestic Representative upon whom notice of process in proceedings affecting the mark may be served.

Stratus Computer Systems, S. & r.l.

Date: April 13, 2000

Jivka Agov  
Jivka Agov  
General Manager