

07-06-2000



101396646

UNRECORDED

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

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

Submission Type

5.26.00

- 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
Effective Date
Month Day Year _____
- Merger
- Change of Name
- Other _____

Conveying Party

Mark if additional names of conveying parties attached

Name Execution Date
Month Day Year

- Formerly
- Individual
 - General Partnership
 - Limited Partnership
 - Corporation
 - Association
 - Other
 - Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City State/Country Zip Code

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other
- Citizenship/State of Incorporation/Organization

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.)

FOR OFFICE USE ONLY

07/03/2000 DNGUYEN 00000190 500581 75653325

01 FC:481 40.00 CH
02 FC:482 25.00 CH

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. 20503

REEL: 002096 FRAME: 0368

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

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

#

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)

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

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.

Wesley L. Austin, Esq.

5/26/2000

Name of Person Signing

Signature

Date Signed

NOTICE OF MERGER AND TRANSFER OF TRADEMARKS

Canopy: The Canopy Group, Inc.
(a Utah corporation)
240 West Center St.
Orem, Utah 84057

Caldera: Caldera, Inc.
(a Utah corporation)
240 West Center St.
Orem, Utah 84057

1. **Merger.** Notice is hereby given that on January 27, 2000 Caldera merged into and with Canopy and that Canopy is the survivor of such merger (the "Merger").

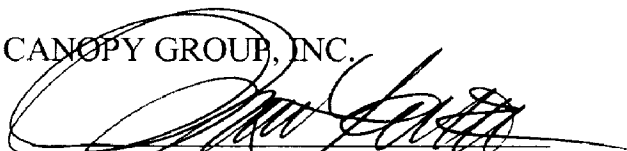
2. **Trademarks and Trademark Rights.** The "Trademarks" shall mean CALDERA and CALDERA SYSTEMS as trademarks, service marks and trade names. "Trademark Rights" shall mean all trademark, service mark and trade name rights, titles and interests of Caldera in and to the Trademarks, including any and all trademark registrations and trademark applications for any of the Trademarks (including those identified below), all rights of priority associated with the Trademarks, and the goodwill of the business connected with the use of and symbolized by the Trademarks. The Trademark Rights include the following registration and application:

- (a) Trademark Registration No. 2,061,968 for CALDERA registered in the United States Patent and Trademark Office on May 13, 1997
- (b) Trademark Application Serial No. 75/653,325 for CALDERA SYSTEMS filed in the United States Patent and Trademark Office on March 4, 1999.

3. **Transfer of Trademarks.** By virtue of the Merger, all of Caldera's rights, titles and interests in and to the Trademarks and the Trademark Rights have been transferred by operation of law to Canopy. This transfer includes an assignment of the registration and of the application identified above and the goodwill of the business connected with the use of and symbolized by the Trademarks.

THE CANOPY GROUP, INC.

By :


(signature)

Name :

Ralph Yarbo
(print)

Title :

President & CEO