

08-08-2000

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Patent and Trademark Office

Attorney Docket No: SMART216407

To the Honorable Assistant Commissioner

101425147

Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Smart Corporation

- Individuals
- Association
- General Partnership
- Limited Partnership
- Corporation-State (New Mexico)
- Other _____

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

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

Name: C-SMART LLC

Address: 2100 Summit Court

City: Las Cruces State: NM ZIP: 88011

- Individual(s) citizenship _____
- Association State of _____
- General Partnership State of _____
- Limited Partnership State of _____
- Corporation-State State of _____
- Other Delaware Limited Liability Company

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designation must be a separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other _____

Execution date: June 2, 2000

B. Trademark Registration No(s). 2,153,593

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

A. Trademark Application No(s).

Additional numbers attached? Yes No

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

Mary L. Čulić, Esq.
 CHRISTENSEN O'CONNOR
 JOHNSON & KINDNESS^{PLLC}
 1420 Fifth Avenue
 Suite 2800
 Seattle, WA 98101-2347
 206.682.8100

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

Check No. 118397 in the amount of \$40.00 is enclosed.

8. The Commissioner is authorized to charge any fees that may be required or credit any overpayment to Deposit Account Number 03-1740.

08/08/2000 DCDATES 00000049 2133593

DO NOT USE THIS SPACE

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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.

Mary L. Čulić
 Name of Attorney or Agent
 Registration No. 40,574
 Direct Dial 206.695.1714

Mary L. Čulić

Signature

7/14/00

Date

Total number of pages including cover sheet, attachments and document: 2

OMB No. 0651-0011 (exp. 4/94)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on July 14, 2000

Date: July 14, 2000

Leah Just

**NUNC PRO TUNC
ASSIGNMENT OF REGISTERED TRADEMARK**

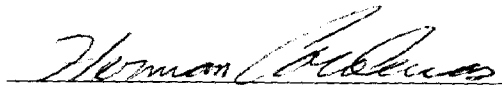
WHEREAS, Smart Corporation, a New Mexico corporation, having a place of business at 2100 Summit Court, Las Cruces, NM 88011 (hereinafter the "ASSIGNOR"), has adopted and is using the trademark HOMETOOL which has been registered in the United States Patent and Trademark Office, Registration No. 2,153,593 dated April 28, 1998; and

WHEREAS, C-SMART LLC, a Delaware limited liability company, having a place of business at 2100 Summit Court, Las Cruces, NM 88011 (hereinafter the "ASSIGNEE") is desirous of acquiring said mark and registration thereof;

NOW, THEREFORE, effective *nunc pro tunc* January 27, 2000, for sufficient, good, and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE its entire right, title to and interest in said trademark and said registration, together with the goodwill of the business associated with the trademark.

Executed at Las Cruces, New Mexico, this 2nd day of JUNE, 2000.

SMART CORPORATION



Printed Name: Herman Cardenas

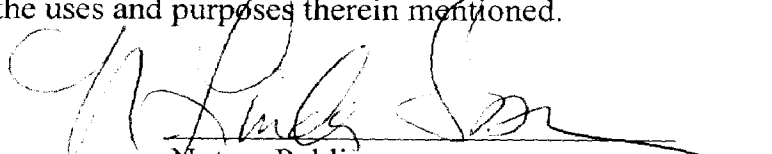
Title: President

STATE OF NEW MEXICO)

) ss.

COUNTY OF DONNA ANNA)

On this 2nd day of June, 2000, Herman Cardenas personally appeared before me and is, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



Notary Public

My commission expires 3.29.04

MLC/LMK:ys