

09-19-2000



U.S. DEPARTMENT OF COMMERCE

101462992  
RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

MMS  
8.28.00

Patent and Trademark Office  
Docket No. 031167.2000SG

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

1. Name of Conveying party(ies):

BEA Systems, Inc.

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

Delaware

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

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

Name: WebGain, Inc.  
Street Address: 5425 Stevens Creek Blvd.  
Santa Clara, California 95051

- Individual(s) citizenship: \_\_\_\_\_
- Association: \_\_\_\_\_
- General Partnership: \_\_\_\_\_
- Limited Partnership: \_\_\_\_\_
- Corporation-State: Delaware
- Other: \_\_\_\_\_

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

3. Nature of conveyance:

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

Execution Date: August 21, 2000

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

- A. Trademark Application No.(s) 75/939352, 75/939025, 76/014573 and 75/939026
- B. Registration No.(s)

Additional numbers attached?  Yes  No

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

Carla B. Oakley  
Brobeck, Phleger & Harrison LLP  
Spear Street Tower  
One Market  
San Francisco, CA 94105

6. Total number of applications and trademark registrations involved: 4

7. Total fee (37 C.F.R. § 3.41): \$115.00

- Enclosed
- Authorized to be charged to deposit account, referencing Attorney Docket: 031167.2000

8. Deposit account number: 02-3950

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 02-3950.

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.

Name: Carla B. Oakley

*Carla B. Oakley*  
Signature

8-23-00  
Date

Total number of pages comprising cover sheet, attachment and document: 3

09/19/2000 NTHAI1 00000070 75939352

01 FC:481 40.00 OP  
02 FC:482 75.00 OP

documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

## ASSIGNMENT OF TRADEMARKS

Whereas, BEA Systems, Inc. ("Assignor"), a Delaware corporation, located and doing business at 2315 North First Street, San Jose, California 95131, owns the following Marks and pending applications:


Mark	Country	Serial No.
WEBGAIN	European Community	001548957
WEBGAIN	United Kingdom	2223441
WEBGAIN	United States	75/939352
WEBGAIN E-COMMERCE STUDIO	United States	75/939025
WEBGAIN STUDIO	United States	76/014573
WEBGAIN, THE E-COMMERCE STUDIO COMPANY	United States	75/939026

Whereas WebGain, Inc. ("Assignee"), a Delaware corporation, located and doing business at 5425 Stevens Creek Blvd., Santa Clara, California 95051, is desirous of acquiring said trademarks and the pending intent-to-use applications therefore;

Now, therefore, for good and valuable consideration, receipt of which is hereby acknowledged, said Assignor does hereby assign to Assignee all its right, title and interest in and to the Marks, together with the goodwill symbolized by the Marks and together with the portion of the business to which the Marks pertain, and the above identified applications. This assignment includes the right to sue and recover damages for past and future infringements of Assignor's rights in the Marks and to bring any proceeding in the United States Patent and Trademark Office or any equivalent agency in any other country for cancellation or opposition or other proceeding in connection with said Marks.

Assignor further agrees that it will execute, verify, acknowledge and deliver all such further papers, including any instruments of transfer and recordable assignments, and perform such other acts as Assignee lawfully may request from time to time, to perfect and vest title in the Mark in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has executed this document on the date indicated.

By:   
Robert Donohue  
Secretary and Vice President  
BEA Systems, Inc.

Date: 8/21/00