

09-22-2000



FORM PTO-1594

REC

101466090

LET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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

1. Name of conveying party(ies): 8-79-00  
OptiMark Holdings, Inc.

Individual(s)                       Association  
 General Partnership             Limited Partnership  
 Corporation - State (Delaware)  
 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: June 19, 2000

2. Name and address of receiving party(ies):  
 Name: OptiMark, Inc.  
 Internal Address: 24th Floor  
 Street Address: 10 Exchange Place Centre  
 City: Jersey City State: NJ Zip: 07302

Individual(s) citizenship: \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporate - State - Delaware \_\_\_\_\_  
 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 registration number(s):

A. Trademark Application No.(s)		
78/000,816	75/315,872	75,581,769
78/000,814	75/315,951	75/591,605
75/951,051	75,455,521	75/805,272
78/002,238	75/569,633	75/955,208
78/004,131	75/579,277	75/955,211
75/228,954	75/579,454	75/955,213
75/228,955	75/581,768	75/955,214

Additional numbers attached?  Yes  No

B. Trademark Registration No.(s)

2,246,384	2,251,727
2,276,293	2,251,728
2,327,047	2,298,260
2,267,552	

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Scott D. Wofsy  
 Internal Address: Cummings & Lockwood  
 Street Address: Four Stamford Plaza, P.O. Box 120  
 City: Stamford State: CT Zip: 06904-0120  
 Telephone: (203) 351-4289

6. Total number of applications and registrations involved: .....  28

7. Total fee (37 CFR 3.41): ..... \$ 715.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: 11-0231

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

09/21/2000 DNGUYEN 00000188 78000816  
 01 FC:481  
 02 FC:482

40.00 OP  
675.00 OP

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.*

Scott D. Wofsy  
 Name of Person Signing

[Signature]  
 Signature

8/25/00  
 Date

Total number of pages including cover sheet, attachments and documents: [16]

**Do not detach this portion**

Mail documents to be recorded with required cover sheet information to:

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

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

.StmLib1:833112.1 August 24, 2000

## GENERAL ASSIGNMENT AND BILL OF SALE

THIS GENERAL ASSIGNMENT AND BILL OF SALE is entered into this 19<sup>th</sup> day of June, 2000 by and between OptiMark, Inc., a Delaware corporation ("OptiMark, Inc."), and OptiMark Holdings, Inc., a Delaware corporation ("Holding Company").

WHEREAS, Holding Company has agreed to sell, transfer, convey, assign and deliver to OptiMark, Inc. and OptiMark, Inc. has agreed to acquire from Holding Company, certain designated assets and OptiMark, Inc. has agreed, in partial consideration therefor, to assume certain obligations in connection therewith by executing an Assumption Agreement of even date herewith;

WHEREAS, Holding Company desires to transfer and assign to OptiMark, Inc. the assets described below and OptiMark, Inc. desires to accept the sale, transfer, conveyance, assignment and delivery thereof;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, Holding Company hereby irrevocably sells, transfers, conveys, assigns and delivers to OptiMark, Inc. all of Holding Company's right, title and interest in, to and under the assets and properties of Holding Company set forth on Schedule I, and any other assets and property relating to the electronic markets business, and any agreements relating to any of the above-referenced assets and property, to the extent such agreements do not require the consent of other parties or the required consents of other parties have been obtained, as the same shall exist on the date hereof (collectively, the "Designated Assets"), TO HAVE AND TO HOLD the same unto OptiMark, Inc., its successors and assigns, forever.

OptiMark, Inc. hereby accepts the sale, transfer, conveyance, assignment and delivery of the Designated Assets.

At any time or from time to time after the date hereof, at OptiMark, Inc.'s request and without further consideration, Holding Company shall execute and deliver to OptiMark, Inc. such other instruments of sale, transfer, conveyance, assignment and confirmation, provide such materials and information and take such other actions as OptiMark, Inc. may reasonably deem necessary or desirable in order more effectively to transfer, convey and assign to OptiMark, Inc., and to confirm OptiMark, Inc.'s title to, all of the Designated Assets, and, to the full extent permitted by Law, to put OptiMark, Inc. in actual possession and operating control of the Designated Assets and to assist OptiMark, Inc. in exercising all rights with respect thereto.

Holding Company hereby constitutes and appoints OptiMark, Inc. the true and lawful attorney of Holding Company, with full power of substitution, in the name of Holding Company or OptiMark, Inc., but on behalf of and for the benefit of OptiMark, Inc.: (i) to demand and receive from time to time any and all of the Designated Assets and to make endorsements and give receipts and releases for and in respect of the same and any part thereof; (ii) to institute, prosecute, compromise and settle any and all actions or proceedings that OptiMark, Inc. may deem proper in order to collect, assert or enforce any claim, right or title of

any kind in or to the Designated Assets; (iii) to defend or compromise any or all actions or proceedings in respect of any of the Designated Assets; and (iv) to do all such acts and things in relation to the matters set forth in the preceding clauses (i) through (iii) as OptiMark, Inc. shall deem desirable. Holding Company hereby acknowledges that the appointment hereby made and the powers hereby granted are coupled with an interest and are not and shall not be revocable by it in any manner or for any reason. OptiMark, Inc. shall indemnify and hold harmless Holding Company and its officers, directors, employees, agents and Affiliates from any and all Losses caused by or arising out of any breach of law by OptiMark, Inc. in its exercise of the aforesaid powers.

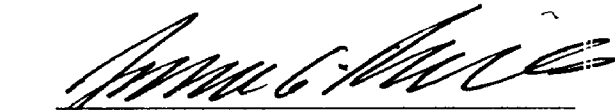
This General Assignment and Bill of Sale may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

This General Assignment and Bill of Sale shall be governed by and construed in accordance with the laws of the State of New Jersey applicable to a contract executed and performed in such State without giving effect to the conflicts of laws principles thereof, except that if it is necessary in any other jurisdiction to have the law of such other jurisdiction govern this General Assignment and Bill of Sale in order for this General Assignment and Bill of Sale to be effective in any respect, then the laws of such other jurisdiction shall govern this General Assignment and Bill of Sale to such extent.

IN WITNESS WHEREOF, the undersigned have caused their duly authorized officers to execute this General Assignment and Bill of Sale on the day and year first above written.

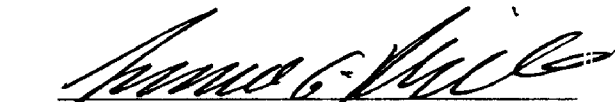
OptiMark, Inc.

By:

  
Name: JAMES G. RICHARDS  
Title: SECRETARY

OptiMark Holdings, Inc.

By:

  
Name: JAMES G. RICHARDS  
Title: SECRETARY

REDACTED

### Intellectual Property

All intellectual property, assets, tangible and intangible, of every kind, nature and description owned by OptiMark Technologies, Inc., including, but not limited to:

1. Domestic and foreign patents set forth on Exhibit A attached hereto
2. Domestic and foreign patent applications set forth on Exhibit A attached hereto
3. Domestic and foreign trademarks and service marks set forth on Exhibit A attached hereto
4. Domestic and foreign trademark and service mark applications set forth on Exhibit A attached hereto
5. Copyright and all other rights to software, designs, algorithms, specifications, diagrams, inventions, proprietary information, trade names, trade secrets and other know-how, etc. that are owned by OptiMark (free and clear of any third party interests)

REDACTED

**EXHIBIT A**

**Patent Report by Invention**

COUNTRY	REFERENCE#	FILED	SERIAL#	ISSUED	PATENT#	STATUS
<b>Crossing Network Utilizing Mutual Satisfaction Density Profile*</b>						
ARGENTINA	P-000 AR	03/14/1996	335,756			PENDING
AUSTRALIA	P-004 AU	10/14/1997	59232/96			PENDING
BANGLADESH	P-101 BD	10/31/1999	188/99			PENDING
BAHRAIN	P-000 BH	03/26/1996	544/96	09/16/1996	BP1108	ISSUED
BAHRAIN	P-101 BH	01/23/2000	116/2000			PENDING
BERMUDA	P-000 BM	04/25/1996	483	06/05/1996	483	ISSUED
BERMUDA	P-101 BM					PROPOSED
BRAZIL	P-004 BR	04/26/1996	PI 9608244-5			PENDING
CANADA	P-004 CA	10/17/1997	2218634			PENDING
CHILE	P-000 CL	04/09/1996	555-96			PENDING
CHILE	P-101 CL					PROPOSED
CHINA	P-004 CN	04/26/1996	96194809.4			PENDING
CZECH REPUBLIC	P-004 CZ	04/26/1996	PV-3408-97			PENDING
EGYPT	P-101 EG	10/30/1999	1360/99			PENDING
EUROPEAN PATENT CO	P-004 EP	04/26/1996	96916504.2			PENDING
FINLAND	P-000 FI					ABANDONED
INDONESIA	P-000 ID	04/26/1996	P-961100			PENDING
ISRAEL	P-000 IL	03/10/1996	117424	12/23/1999	117424	ISSUED
INDIA	P-000 IN	03/11/1996	511/Del/96			PENDING
JERSEY	P-000 JE		N/A			PENDING
JAMAICA	P-101 JM	10/29/1999	18/1/3963			PENDING
JAPAN	P-004 JP	04/26/1996	08-532813			PENDING
SOUTH KOREA	P-004 KR	04/26/1996	97-707619			PENDING
KUWAIT	P-000 KW	03/30/1996	34 PA/96			PENDING
KUWAIT	P-101 KW	10/30/1999	PA 125/99			PENDING
CAYMAN ISLANDS	P-000 KY					PROPOSED
SRI LANKA	P-004 LK	04/26/1996	11311			PENDING
MALAYSIA	P-000 MY	03/14/1996	PI 9600933			PENDING
MALAYSIA	P-101 MY	10/29/1999	PI 9904683			PENDING
NAMIBIA (S.W. AFRICA)	P-101 NA	11/01/1999	99/0063			PENDING
NORWAY	P-004 NO	04/26/1996	97.4926			PENDING
NEW ZEALAND	P-004 NZ	04/26/1996	309241	07/12/1999	309241	ISSUED
PERU	P-000 PE	04/03/1996	000241/96			PUBLISHED
PERU	P-101 PE					PROPOSED
PHILIPPINES	P-004 PH	03/19/1996	52673			PENDING
PHILIPPINES	P-101 PH	10/29/1999	1-1999-02727			PENDING
PAKISTAN	P-101 PK	10/30/1999	N/A			PENDING
POLAND	P-004 PL	04/26/1995	P-324776			PENDING
FEDERATION OF RUSSIA	P-004 RU	04/26/1996	9712 0724			PENDING
SAUDI ARABIA	P-101 SA					PROPOSED
SINGAPORE	P-004 SG	04/26/1996	9705373-0	03/30/1999	96/343571	ISSUED
THAILAND	P-000 TH	04/27/1995	030571			PENDING
THAILAND	P-101 TH					PROPOSED
TAIWAN	P-000 TW	03/19/1996	85103237	05/13/1998	NI-092314	ISSUED
TAIWAN	P-101 TW	11/02/1999	88119003			PENDING
UNITED STATES	P-000	04/27/1995	08/430,212	11/18/1997	5,689,652	ISSUED
UNITED STATES	P-002	06/15/1997	08/892,598	09/07/1999	5,950,177	ISSUED
UNITED STATES	P-100	08/10/1999	09/371,342			PENDING
UNITED STATES	P-004	10/21/1997	08/945,074			PENDING
UNITED STATES	P-P000	10/30/1998	60/106,268			EXPIRED
UNITED STATES	P-101	10/29/1999	09/430,319			PENDING
UNITED STATES	P-104	01/21/2000	09/489,769			PENDING
UNITED STATES	P-106	04/10/2000	09/545,771			PENDING
UNITED STATES	P-107	04/10/2000	09/546,341			PENDING
VENEZUELA	P-000 VE	04/02/1996	0549-96	02/25/2000	TBD	ISSUED
VENEZUELA	P-101 VE	11/01/1999	1999-2214			PENDING
WIPO	P-004 PCT	04/26/1996	PCT/US96/07265			PUBLISHED
WIPO	P-101 PCT	10/30/1999	N/A			PENDING
WIPO	P-000 PCT	02/28/1996	PCT/US96/02894			ABANDONED
SOUTH AFRICA	P-000 ZA	03/27/1996	96/2454			PENDING

**Crossing Network Utilizing Satisfaction Density Profile With Price Discovery Features**

UNITED STATES	P-001	12/12/1995	08/571,328	12/01/1998	5,845,266	ISSUED
UNITED STATES	P-005	10/16/1997	08/951,304	01/04/2000	6,012,046	ISSUED

**Method And Apparatus For Automating Negotiations Between Parties**

UNITED ARAB EMR	P-003 AE	09/19/1999	113/1999			PENDING
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NY1:#3259094

COUNTRY	REFERENCE#	FILED	SERIAL#	ISSUED	PATENT#	STATUS
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**Method And Apparatus For Automating Negotiations Between Parties**

ARIPO	P-003 ARIPO	02/23/1998	AP/P/99/01653			PENDING
ARGENTINA	P-003 AR	08/15/1997	P970103741			PUBLISHED
AUSTRALIA	P-003 AU	02/23/1998	63345/98			PENDING
BAHRAIN	P-003 BH	06/24/1997	115/97			PENDING
BAHRAIN	P-003 BH	07/30/1997	1248/97	07/30/1997	BP 1175	ISSUED
BERMUDA	P-003 BM		SUSPENDED			PENDING
BRAZIL	P-003 BR	02/23/1998	9,808,390-2			PENDING
CANADA	P-003 CA	02/23/1998	2,283,822			PENDING
CHILE	P-003 CL	09/22/1997	1942-97			PUBLISHED
CHINA	P-003 CN	02/23/1998	98804981.3			PUBLISHED
CZECH REPUBLIC	P-003 CZ	02/23/1998	PV 3326-99			PENDING
ESTONIA	P-003 EE	02/23/1998	P199900431			PENDING
EUROPEAN PATENT CO	P-003 EP	02/23/1998	98 907 576.7			PENDING
FIJI	P-003 FJ		NEVER FILED			PENDING
HONG KONG	P-003 HK					PROPOSED
HUNGARY	P-003 HU	02/23/1998	PCT/US98/03443			PENDING
INDONESIA	P-003 ID	03/19/1997	P973296			PENDING
INDIA	P-003 IN	06/17/1997	1632/Del/97			PENDING
ICELAND	P-003 IS	02/23/1998	5182			PENDING
JAMAICA	P-003 JM	07/01/1997	18/1/3804			ABANDONED
JAPAN	P-003 JP	02/23/1998	540511/1998			PENDING
SOUTH KOREA	P-003 KR	02/23/1998	99-7008534			PENDING
KUWAIT	P-003 KW	06/16/1997	81PA/97			PENDING
MEXICO	P-003 MX	02/23/1998	PCT/US98/03443			PENDING
MALAYSIA	P-003 MY	07/18/1997	PI 9703266			PENDING
NAMIBIA (S.W. AFRICA)	P-003 NA		N/A			ABANDONED
NORWAY	P-003 NO	02/23/1998	19994475			PENDING
NEPAL	P-003 NP		N/A			PENDING
NEW ZEALAND	P-003 NZ	02/23/1998	337862			PENDING
PERU	P-003 PE	03/19/1997	700/97			PUBLISHED
PHILIPPINES	P-003 PH	07/19/1997	I-57312			PENDING
PAKISTAN	P-003 PK	06/16/1997	411/97			PENDING
POLAND	P-003 PL	02/23/1998	PCT/US98/03443			PENDING
SAUDI ARABIA	P-003 SA	09/29/1997	97180458			PENDING
SINGAPORE	P-003 SG	02/23/1998	9904495-0			PENDING
SLOVAK REPUBLIC	P-003 SK	02/23/1998	PV 1278-99			PENDING
SOMALIA	P-003 SO		Never Filed			PENDING
WESTERN SAMOA	P-003 SW		Never Filed			PENDING
THAILAND	P-003 TH	09/30/1997	039918			PUBLISHED
TAIWAN	P-003 TW	06/19/1997	86108725			PUBLISHED
UKRAINE	P-003 UA	02/23/1996	99095163/M			PENDING
UNITED STATES	P-003	03/19/1997	08/820,788			PENDING
VENEZUELA	P-003 VE	10/16/1997	2090-97			PUBLISHED
WIPO	P-003 PCT	02/23/1998	PCT/US98/03443			PUBLISHED
YEMEN	P-003 YE		N/A			ABANDONED
SOUTH AFRICA	P-003 ZA	07/16/1997	976302	03/25/1998	97/6302	ISSUED

**Method And Apparatus For Automated Opening Of Options Exchange**

ARIPO	P-006 AP	03/25/1999	AP/P/99/01480			PENDING
ARGENTINA	P-006 AR	09/04/1997	P970104052			PUBLISHED
AUSTRALIA	P-006 AU	09/08/1997	42537/97			PENDING
BAHRAIN	P-006 BH	10/04/1997	1576/97	06/05/1999	BP 1187	ISSUED
BERMUDA	P-006 BM	10/09/1997	N/A			PENDING
BRAZIL	P-006 BR	09/08/1997	PI9711490.1			PENDING
CANADA	P-006 CA	09/08/1997	2,264,758			PENDING
CHILE	P-006 CL	09/22/1997	1941-97			PENDING
CHINA	P-006 CN	09/08/1997	97199935.X			PENDING
EUROPEAN PATENT CO	P-006 EP	09/08/1997	97940854.9			PENDING
HUNGARY	P-006 HU	09/08/1997	PCT/US97/15665			PENDING
INDONESIA	P-006 ID		W990219			PENDING
ISRAEL	P-006 IL	09/08/1997	128698			PENDING
INDIA	P-006 IN	08/21/1997	2375/Del/97			PENDING
JAPAN	P-006 JP	09/08/1997	10-514706			PENDING
SOUTH KOREA	P-006 KR	09/08/1997	101999-7002301			PENDING
KUWAIT	P-006 KW	09/08/1997	30 PA/99			PENDING
MEXICO	P-006 MX	09/08/1997	9902620			PENDING
MALAYSIA	P-006 MY	08/26/1997	PI-9703912			PENDING
NORWAY	P-006 NO	09/08/1997	1999 1346			PENDING
NEW ZEALAND	P-006 NZ	09/08/1997	335062			PENDING

NY1:#3259094



COUNTRY	REFERENCE#	FILED	SERIAL#	ISSUED	PATENT#	STATUS
<b>Method And Apparatus For Automated Opening Of Options Exchange</b>						
PERU	P-006 PE	09/08/1997	000798/1997			PUBLISHED
PHILIPPINES	P-006 PH	09/19/1997	1-57927			PENDING
POLAND	P-006 PL	09/08/1997	P-332308			PENDING
FEDERATION OF RUSSIA	P-006 RU	09/08/1997	99107968			PENDING
SINGAPORE	P-006 SG	09/08/1997	9900867-4			PENDING
THAILAND	P-006 TH	09/12/1997	039598			PUBLISHED
TURKEY	P-006 TR	09/08/1997	1999/00615			PENDING
TAIWAN	P-006 TW	09/18/1997	86113537	01/01/1999	NI-099281	ISSUED
UKRAINE	P-006 UA	09/08/1997	N/A			PENDING
UNITED STATES	P-006	09/20/1996	08/717,387	01/18/2000	6,016,483	ISSUED
UNITED STATES	P-1 03	10/01/1999	09/409,621			PENDING
VENEZUELA	P-006 VE	09/18/1997	1883-97			PUBLISHED
WIPO	P-006 PCT	09/08/1997	PCT/US97/15665			PUBLISHED
SOUTH AFRICA	P-006 ZA	08/20/1997	97/7481	04/28/1999	97/7481	ISSUED

**Method For Communicating Between A Buyer/Seller And An Electronic Trading System**

UNITED STATES	P-007	11/12/1997	08/967,898			PENDING
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**Automated Options Trading (Method And Apparatus For Facilitating)**

JAMAICA	P-102JM	01/13/2000	18/1/3975			PENDING
UNITED STATES	P-P001	06/14/1999	60/138,653			PENDING
UNITED STATES	P-102	01/07/2000	09/479,035			PENDING

**Options Trading With OptiMark**

UNITED STATES	P-P002	06/15/1999	60/139,250			PENDING
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**Optimal Execution Of Portfolio Trades**

UNITED STATES	P-P003	10/30/1998	60/106,269			EXPIRED
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**Selective Disclosure Of Trading Interest In An Otherwise Confidential Electronic Trading System**

UNITED STATES	P-105	02/01/2000	09/495,800			EXPIRED
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**Trademark Report by Mark**

COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b>HIGH PERFORMANCE MARKETS</b>							
UNITED STATES	T-042	03/03/2000	75/951,051			PENDING	
<b>HPM</b>							
UNITED STATES	T-038	03/07/2000	75/955,208			PENDING	3,42
<b>INDALI</b>							
UNITED STATES	T-050	04/14/2000	78/004,131			PENDING	
<b>JAPAN OPTIMARK SYSTEMS</b>							
JAPAN	T-033 JP	04/30/1999	11-38021			PENDING	9,36
<b>M2M</b>							
UNITED STATES	T-044					PROPOSED	
<b>MANY TO MANY</b>							
UNITED STATES	T-046					PROPOSED	
<b>Miscellaneous Design (Circle/Triangle)</b>							
AUSTRALIA	T-011 AU			07/21/1997	739672	REGISTERED	36
AUSTRALIA	T-010 AU		782695			PENDING	9
CANADA	T-010 CA	07/21/1997	851,442			PENDING	09
CANADA	T-011 CA	07/21/1997	851,441			PENDING	36
CHINA	T-010 CN	07/21/1997	970074831	01/14/1999	1239974	REGISTERED	36
EUROPEAN UNION (CT)	T-010 EU	07/21/1997	574897	07/21/1997	574897	REGISTERED	9,36
HONG KONG	T-011 HK	01/21/1997	97 10232	01/27/1997	4351999	REGISTERED	36
INDIA	T-010 IN	07/21/1999	748,417			PENDING	9
JAPAN	T-011 JP	07/22/1997	9-139681	07/23/1999	4,298,448	REGISTERED	36

NY1:#3259094

COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b>Miscellaneous Design (Circle/Triangle)</b>							
JAPAN	T-010 JP	07/22/1997	9-139680	02/10/2000	4,361,463	REGISTERED	9,38
MEXICO	T-011 MX	07/21/1997	302066	08/26/1999	619242	REGISTERED	36
MEXICO	T-010 MX	07/21/1997	302,065			PENDING	9
SINGAPORE	T-011 SG	07/21/1997	S/8703/97			PENDING	36
SINGAPORE	T-010 SG	07/21/1997	S/8704/97			PENDING	
SWITZERLAND	T-010 CH	07/21/1997	05889/1997			PENDING	9,36
UNITED STATES	T-010	01/21/1997	75/228,980	06/08/1999	2,251,727	REGISTERED	09
UNITED STATES	T-011	01/21/1997	75/228,953	03/07/2000	2,327,047	REGISTERED	
<b>Miscellaneous Design (O-design in OptiMark)</b>							
HONG KONG	T-029 HK	07/21/1997	97 10231			PENDING	9
<b>ONBOARD</b>							
AUSTRALIA	T-009 AU	05/27/1999	795,413	05/27/1999	795,413	REGISTERED	36
CANADA	T-009 CA	06/07/1999	1,018,149			PENDING	36
CHINA	7-009 CN	06/07/1999	990063897			PENDING	36
EUROPEAN UNION (CT)	T-009 EU	05/26/1999	1,186,105			PENDING	36
HONG KONG	T-009 HK		9906711			PENDING	36
JAPAN	T-009 JP	05/28/1999	11-46603			PENDING	36
MEXICO	T-009 MX	06/08/1999	378,49			PENDING	36
SINGAPORE	T-009 SG	06/01/1999	T99055691			PENDING	36
SWITZERLAND	T-009 CH	05/26/1999	04570/1999			PENDING	36
UNITED STATES	T-009	11/19/1998	75/591,605			PENDING	36
UNITED STATES	T-008		n/a			PENDING	09
UNITED STATES	T-0091	10/14/1999	75/805,272			PENDING	36
<b>OPTIBROKER</b>							
AUSTRALIA	T-019 AU	04/27/1999	792,180			PENDING	36
CANADA	T-019 CA	04/28/1999	1013776			PENDING	36
CHINA	T-019 CN	04/27/1999	9900044498			PENDING	36
EUROPEAN UNION (CT)	T-019 ELI	04/27/1999	1,153,832			PENDING	36
HONG KONG	T-019 HK	04/27/1999	9,905,293			PENDING	36
JAPAN	T-019 JP	04/30/1999	11-38022			PENDING	36
MEXICO	T-019 MX	04/29/1999	373,508			PENDING	36
SINGAPORE	T-019 SG	04/28/1999	T9904316Z			PENDING	36
SWITZERLAND	T-019 CH	04/27/1999	03697			PENDING	36
UNITED STATES	T-019	10/29/1998	75/579,277			ALLOWED	36
<b>OPTICLEAR</b>							
AUSTRALIA	T-017 AU	04/27/1999	792,179	04/27/1999	792,179	REGISTERED	36
CANADA	T-017 CA	04/28/1999	1013775			PENDING	36
CHINA	T-017 CN	04/27/1999	9900044499			PENDING	36
EUROPEAN UNION (CT)	T-017 EU	04/27/1999	1150865			PENDING	36
HONG KONG	T-017 HK	10/29/1998	9905294			PENDING	36
JAPAN	T-017 JP	04/30/1999	11-38023			PENDING	36
MEXICO	T-017 MX	04/29/1999	373509	09/22/1999	623852	REGISTERED	36
SINGAPORE	T-017 SG	04/28/1999	T9904315A			PENDING	36
SWITZERLAND	T-017 CH	04/27/1999	03696			PENDING	36
UNITED STATES	T-017	10/29/1998	75/579,454			ALLOWED	36
<b>OPTILINK</b>							
AUSTRALIA	T-006 AU	06/27/1997	749130	11/19/1997	749130	REGISTERED	09,36
CANADA	T-006 CA	11/18/1997	861,982			PENDING	09,36
CHINA	T-007 CN	11/20/1997	9700123602	05/14/1999	1274766	REGISTERED	36
CHINA	T-006 CN	11/20/1997	9700123601			PENDING	9
EUROPEAN UNION (CT)	T-006 EU	11/19/1997	679,399			PENDING	09,36
HONG KONG	T-007 HK	06/27/1997	9716685	05/27/1999	6597	REGISTERED	36
HONG KONG	T-006 HK	06/27/1997	9716684	04/09/1999	4309/1999	REGISTERED	9
INDIA	T-006 IN	11/26/1997	779713			PENDING	9
JAPAN	T-006 JP	01/12/1997	9-179609			PENDING	36
MEXICO	T-006 MX	12/11/1997	317252	03/30/1998	573605	REGISTERED	9
MEXICO	T-007 MX	12/11/1997	317253	03/30/1998	573606	REGISTERED	36
SINGAPORE	T-006 SG	11/28/1997	1450897			PENDING	9
SINGAPORE	T-007 SG	11/28/1997	1450797			PENDING	36
SWITZERLAND	T-006 CH	11/20/1997	092661997	11/20/1997	450962	REGISTERED	9,36
UNITED STATES	T-006	06/27/1997	75/315,872			ALLOWED	09
UNITED STATES	T-007	06/27/1997	75/315,951			ALLOWED	36

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**TRADEMARK**  
**REEL: 002144 FRAME: 0245**

COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b><u>OPTIMAL MARKET</u></b>							
AUSTRALIA	T-013 AU	09/08/1998	772596			PENDING	36
CANADA	T-013 CA	09/03/1998	869,357			PENDING	36
CHINA	T-013 GN	09/07/1998	9800102040			PENDING	36
EUROPEAN UNION (CT)	T-013 EU		932,962			PENDING	36
HONG KONG	T-013 HK	09/04/1998	98 11701			PENDING	36
JAPAN	T-013 JP	09/04/1998	10-75341			PENDING	36
MEXICO	T-013 MX	09/24/1998	348279	11/30/1998	595344	REGISTERED	36
SINGAPORE	T-013 SG	09/04/1998	S/8966/98			PENDING	36
UNITED STATES	T-012		N/A			PENDING	09
UNITED STATES	T-013	03/24/1998	75/455,521			PENDING	36
<b><u>OPTIMAL MARKET (0 with design)</u></b>							
SWITZERLAND	T-031 CH	09/04/1998	7322			PENDING	36
<b><u>OPTIMARK</u></b>							
AUSTRALIA	T-000 AU	01/31/1997	726810	11/19/1997	726810	REGISTERED	09
CANADA	T-000 CA	01/31/1997	835,277			PENDING	09,36
CHINA	T-001 CN	08/01/1996	970011906	03/14/1998	1159925	REGISTERED	36
EUROPEAN UNION (CT)	T-000 EU	01/31/1997	452,276	09/07/1998	452,276	REGISTERED	9,36
HONG KONG	T-000 HK	08/01/1996	9701440	08/01/1996	7853	REGISTERED	9
HONG KONG	T-001 HK	01/31/1997	9701441			PENDING	36
INDIA	T-000 IN	02/19/1997	734384			PENDING	9
JAPAN	T-000 JP	02/03/1997	9-9272	03/03/2000	4,365,892	REGISTERED	9
JAPAN	T-001 JP	02/03/1997	9-9273	03/03/2000	4,365,893	REGISTERED	36
MEXICO	T-001 MX	01/31/1997	285807	09/26/1997	559212	REGISTERED	36
MEXICO	T-000 MX	01/31/1997	285806			PENDING	9
SINGAPORE	T-001 SG	02/01/1997	S/1196/97			PENDING	36
SINGAPORE	T-000 SG	02/01/1997	S/1195/97			PENDING	9
SWITZERLAND	T-000 CH	02/03/1997	00790/1997	07/31/1997	444428	REGISTERED	9,36
UNITED STATES	T-000	08/01/1996	75/143,707	05/18/1999	2,246,384	REGISTERED	09
UNITED STATES	T-001	08/01/1996	75/143,708	09/07/1999	2,276,293	REGISTERED	36
UNITED STATES	T-036	03/07/2000	75/955,213			PENDING	9,42
<b><u>OptiMark On-Board (Stylized)</u></b>							
UNITED STATES	T-015	12/08/1998	75/602,750			PENDING	36
UNITED STATES	T-014		N/A			PENDING	09
<b><u>OPTIMARK ONBOARD</u></b>							
AUSTRALIA	T-027 AU	05/27/1999	795354	05/27/1999	795354	REGISTERED	36
CANADA	T-027 CA	06/07/1999	1018150			PENDING	36
CHINA	T-027 CN	06/07/1999	9900063897/98			PENDING	36
EUROPEAN UNION (CT)	T-027 EU	05/26/1999	1185974			PENDING	36
HONG KONG	T-027 HK	05/26/1999	9906712			PENDING	36
JAPAN	T-027 JP	05/28/1999	11-46604			PENDING	36
MEXICO	T-027 MX	06/01/1999	378250	09/17/1999	622807	REGISTERED	36
SINGAPORE	T-027 SG	06/08/1999	T9905570B			PENDING	36
SWITZERLAND	T-027 CH	05/26/1999	45711999			PENDING	36
UNITED STATES	T-027	12/08/1998	75/602,750	12/07/1999	2,298,260	REGISTERED	36
UNITED STATES	T-040	03/07/2000	75/955,211			PENDING	9,42
<b><u>OptiMark Technologies, Inc. &amp; Design</u></b>							
UNITED STATES	T-004	01/21/1997	75/229,009	06/08/1999	2,251,728	REGISTERED	09
UNITED STATES	T-005	01/21/1997	75/228,956	08/03/1999	2,267,552	REGISTERED	36
<b><u>OPTIMARK-TECH</u></b>							
UNITED STATES	T-002	01/21/1997	75/228,954			ABANDONED	09
UNITED STATES	T-003		75/228,955			ABANDONED	36
<b><u>OPTIMATCH</u></b>							
AUSTRALIA	T-021 AU	04/27/1999	792,178	04/27/1999	792,178	REGISTERED	36
CANADA	T-021 CA	04/28/1999	1013774			PENDING	36
CHINA	T-021 CN	04/27/1999	99000445000			PENDING	36
EUROPEAN UNION (CT)	T-021 EU	04/27/1999	1153857			PENDING	36
HONG KONG	T-021 HK	10/29/1998	9905295			PENDING	36
JAPAN	T-021 JP		1138024			PENDING	36
MEXICO	T-021 MX	04/29/1999	373,510	04/29/1999	623,853	REGISTERED	36

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COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b><u>OPTIMATCH</u></b>							
SINGAPORE	T-021 SG	04/28/1999	T99/04314C			PENDING	36
SWITZERLAND	T-021 CH	04/27/1999	03695			PENDING	36
UNITED STATES	T-021	10/29/1998	75/581,768			ALLOWED	36
<b><u>OPTITRADE</u></b>							
AUSTRALIA	T-023 AU	04/27/1999	792,181	04/27/1999	792,181	REGISTERED	36
CANADA	T-023 CA	04/28/1999	1013773			PENDING	36
CHINA	T-023 CN	04/27/1999	9900044501			PENDING	36
EUROPEAN UNION (CT)	T-023 EU	04/27/1999	1153824			PENDING	36
HONG KONG	T-023 HK	10/29/1998	99 05297			PENDING	36
JAPAN	T-023 JP	04/30/1999	11-38025			PENDING	36
MEXICO	T-023 MX	04/29/1999	373,511	04/29/1999	623,854	REGISTERED	36
SINGAPORE	T-023 SG	04/28/1999	T99/04313E			PENDING	36
SWITZERLAND	F-023 CH	04/27/1999	03694			PENDING	36
UNITED STATES	T-023	10/29/1998	75/581,769			ALLOWED	36
<b><u>POWERED BY OPTIMARK</u></b>							
UNITED STATES	T-034	03/07/2000	75/955,214			PENDING	3,42
<b><u>PRIVATESHARES</u></b>							
UNITED STATES	T-048	04/03/2000	78/002,238			PENDING	
<b><u>SATISFACTION PROFILE</u></b>							
AUSTRALIA	T-025 AU	04/14/1999	790,964	04/14/1999	790,964	REGISTERED	36
CANADA	T-025 CA	04/14/1999	1,011,999			PENDING	36
CHINA	T-025 CN	04/14/1999	9900038114			PENDING	36
EUROPEAN UNION (CT)	T-025 EU	04/14/1999	113,395			PENDING	36
HONG KONG	T-025 HK	04/14/1999	9904588			PENDING	36
JAPAN	T-025 JP	04/14/1999	11-32336			PENDING	36
MEXICO	T-025 MX	04/14/1999	371516			PENDING	36
SINGAPORE	T-025 SG	04/14/1999	T99/03619H			PENDING	36
UNITED STATES	T-025	10/14/1998	75/569,633			ALLOWED	36

## Patent Report by Invention

COUNTRY	REFERENCE #	FILED	SERIAL #	ISSUED	PATENT #	STATUS
<b>LINKED TRADING SYSTEM FOR CROSSING NETWORK</b>						
UNITED STATES	695301.0003	4/10/00	09/545,771			PENDING
<b>METHOD AND APPARATUS FOR AUTOMATING NEGOTIATIONS BETWEEN PARTIES</b>						
UNITED STATES	695301.0005	3/19/97	08/820,788			PENDING
<b>CROSSING NETWORK UTILIZING SATISFACTION DENSITY</b>						
AUSTRALIA	695301.0006AU	10/14/97	59232/96			PENDING
<b>METHOD AND APPARATUS FOR FACILITATING AUTOMATED OPTION TRADING</b>						
BAHRAIN	695301.0007BH					PROPOSED
JAMAICA	695301.0007JM					PROPOSED
UNITED STATES	695301.0007	1/7/90	09/479,035			PENDING
<b>CROSSING NETWORK AND METHOD</b>						
BANGLADESH	695301.0008BD					PROPOSED
BAHRAIN	695301.0008BH					PROPOSED
BERMUDA	695301.0008BM					PROPOSED
CHILE	695301.0008CL	11/2/99	1999-2497			PENDING
EGYPT	695301.0008EG					PROPOSED
JAMAICA	695301.0008JM					PROPOSED
KUWAIT	695301.0008KW					PROPOSED
MALAYSIA	695301.0008MY					PROPOSED
NAMIBIA (S.W. AFRICA)	695301.0008NA	11/1/99	99/0063			PENDING
PERU	695301.0008PE	11/3/99	1105-99			PENDING
PHILIPPINES	695301.0008PH	10/29/99	1-999-02727			PENDING
PAKISTAN	695301.0008PK					PROPOSED
SAUDI ARABIA	695301.0008SA					PROPOSED
THAILAND	695301.0008TH					PROPOSED
TAIWAN	695301.0008TW					PROPOSED
UNITED STATES	695301.0008	10/29/99	09/430,319			PENDING
UNITED STATES	695301.0004	1/21/00	09/489,769			PENDING
VENEZUELA	695301.0008VE	11/1/99	1999-2214			PENDING
WIPO	695301.0008PCT	10/29/99	PCT/US99/25369			PENDING
SOUTH AFRICA	695301.0008ZA					PROPOSED
<b>METHOD FOR DESIGNATING THE TIME FOR EXECUTION OF A MARKET ORDER</b>						
UNITED STATES	695301.0020					PROPOSED
<b>VOLUME WEIGHTED AVERAGE PRICE MATCHING SYSTEM FOR CROSSING NETWORK</b>						
UNITED STATES	695301.0025	4/10/00	09/546,341			PENDING

## Trademark Report by Mark

COUNTRY	REFERENCE #	FILED	APPL #	REGDT	REG #	STATUS	CLASSES
<b>HIGH PERFORMANCE MARKETS</b>							
UNITED STATES	695301.0018	3/3/00	75/951,051			PENDING	9,42
9 – Computer software for use in facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks.							
42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.							
<b>HPM</b>							
UNITED STATES	695301.0021	3/7/00	75/955,208			PENDING	9,42
9 – Computer software for use in facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks.							
42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.							
<b>INDALI</b>							
UNITED STATES	695301.0028	4/14/00	78/004,131			PENDING	9,42
9 – Computer software for use in facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks.							
42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.							
<b>M2M</b>							
UNITED STATES	695301.0013	3/24/00	78/000,814			PENDING	42
42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.							
<b>MANY2MANY</b>							
UNITED STATES	695301.0010	3/24/00	78/000,816			PENDING	42
42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.							
<b>MANYTOMANY</b>							
UNITED STATES	695301.0015					PROPOSED	
<b>MANYTWOMANY</b>							
UNITED STATES	695301.0011					PROPOSED	
<b>MARKET DESIGN</b>							
UNITED STATES	695301.0017					PROPOSED	
<b>MARKTZ</b>							
UNITED STATES	695301.0019					PROPOSED	
<b>MTOM</b>							
UNITED STATES	695301.0012					PROPOSED	
<b>MTWOM</b>							
UNITED STATES	695301.0014					PROPOSED	
<b>NEOMART</b>							
UNITED STATES	695301.0016					PROPOSED	
<b>OPTIMARK</b>							
UNITED STATES	695301.0023	3/7/00	75/955,213			PENDING	9,42
9 – Computer software for use in facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks.							
42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.							
<b>OPTIMARK ONBOARD</b>							
UNITED STATES	695301.0022	3/7/00	75/955,211			PENDING	9,42
9 – Computer software for use in facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks.							
42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.							

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COUNTRY	REFERENCE #	FILED	APPL #	REGDT	REG #	STATUS	CLASSES
COUNTRY	REFERENCE #	FILED	APPL #	REGDT	REG #	STATUS	CLASSES

**POWERED BY OPTIMARK**

UNITED STATES	695301.0024	3/7/00	75/955,214			PENDING	9,42
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9 – Computer software for use in facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks.

42 – Facilitating the purchase and sale of a broad range of goods and services between buyers and sellers via communication networks, by means of computer software.

**PRIVATESHARES**

SOUTH AFRICA	695301.0026ZA					PROPOSED	
UNITED STATES	695301.0026Q					PROPOSED	

\* Titles are provided for informational purposes and may not reflect the current title of the patent or trademark.

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**RECORDED: 08/29/2000**

**TRADEMARK  
REEL: 002144 FRAME: 0250**