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FORM PTO-1618A  
Expires 06/30/99  
OMB 0651-0027

09-25-2000

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK



101468430

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

9-13-06

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

Submission Type

- ☒ 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
- ☐ Merger
- ☐ Change of Name
- ☐ Other

Effective Date  
Month Day Year  
2 21 2000

Conveying Party

☐ Mark if additional names of conveying parties attached

Name TPTI Acquisition, Inc.

Execution Date  
Month Day Year  
2 21 2000

Formerly

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

Receiving Party

☐ Mark if additional names of receiving parties attached

Name PivotPoint, Inc.

DBA/AKA/TA

Composed of

Address (line 1) 600 West Cummings Park

Address (line 2) Ste 5500

Address (line 3) Woburn

City

Massachusetts

State/Country

01801

Zip Code

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

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

07/05/2000 BCDATES 00000117 75658954

40.00 OP  
125.00 OP

01 FC:401  
08 FC:402

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. 20231

TRADEMARK  
REEL: 002146 FRAME: 0228

**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

(404) 881-4691

Name

Claire M. Kimball

Address (line 1)

Alston & Bird LLP

Address (line 2)

One Atlantic Center

Address (line 3)

1201 W. Peachtree Street

Address (line 4)

Atlanta, GA 30309-3424

**Pages**

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

#

4

**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)**

75/658,954

75/644,555

75/645,292

75/644,926

**Registration Number(s)**

2,202,430

2,002,568

**Number of Properties**

Enter the total number of properties involved.

#

6

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 165.00

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.

Claire M. Kimball

Name of Person Signing

Claire M. Kimball

Signature

5/17/00

Date Signed

resubmitted 9/13/00 Claire M. Kimball

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

**Conveying Party**

Enter Additional Conveying Party

☐

Mark if additional names of conveying parties attached

Execution Date

Month Day Year

Name

Formerly

☐

Individual

☐

General Partnership

☐

Limited Partnership

☐

Corporation

☐

Association

☐

Other

☐

Citizenship State of Incorporation/Organization

**Receiving Party**

Enter Additional 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

☐

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 the Assignment.)

☐

Corporation

☐

Association

☐

Other

☐

Citizenship/State of Incorporation/Organization

**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)**



## TRADEMARK ASSIGNMENT

**TPTI Acquisition, Inc.**, a Delaware corporation with its principal place of business at 600 West Cummings Park, Woburn, Massachusetts (hereinafter called "ASSIGNOR"), has adopted and used and is the owner of the trademarks, listed in the schedule attached hereto as Schedule A and made a part hereof (hereinafter referred to as the "Marks"), in connection with ASSIGNOR'S goods and services, and the goodwill associated therewith; and **PivotPoint, Inc.**, a Massachusetts corporation with its principal place of business at 600 West Cummings Park, Woburn, Massachusetts (hereinafter called "ASSIGNEE"), desires to acquire all right, title and interest in and to the Marks.

NOW, THEREFORE, ASSIGNOR does hereby assign and transfer unto ASSIGNEE, its successors, assigns, and legal representatives, all right, title and interest in and to the Marks, including all registrations and applications for registration thereof, together with the goodwill of the business symbolized by the Marks, and including any and all claims for past infringement thereof, including all rights as opponents in any opposition or cancellation proceeding. ASSIGNOR further agrees to execute all documents necessary to perfect such rights, title, and interest in ASSIGNEE, its successors, assigns, and legal representatives.

IN WITNESS HEREOF, the ASSIGNOR has caused this Trademark Assignment to be executed by a duly authorized corporate officer to be effective as of 9:00 a.m. (E.D.T.), February 21, 2000.

**TPTI Acquisition, Inc.**

By: *Martin D. Avallone*

Name: Martin D. Avallone

Title: Secretary

STATE OF GEORGIA

§

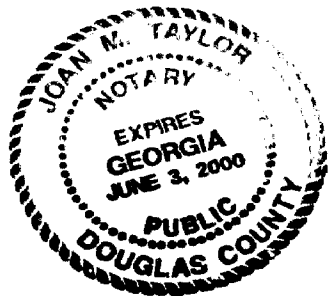
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COUNTY OF FULTON

§

On this 21st day of February, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Martin D. Avallone, known by me to be the person of the above name and an officer of **TPTI Acquisition, Inc.** duly authorized to execute this Trademark Assignment on behalf of **TPTI Acquisition, Inc.**, who signed and executed the foregoing instrument on behalf of **TPTI Acquisition, Inc.**

*Joan M. Taylor*  
Notary Public  
My Commission Expires: June 3, 2000



ASSIGNEE hereby consents to and accepts this Trademark Assignment and has caused it to be executed by a duly authorized corporate officer to be effective as of 9:00 a.m. (E.D.T.), February 21, 2000.

**PivotPoint, Inc.**

By: [Signature]

Name: William J. Gilmour

Title: President

STATE OF GEORGIA

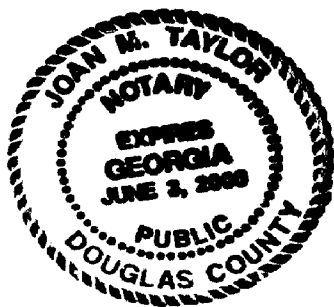
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§

COUNTY OF FULTON

§

On this 21st day of February, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared William J. Gilmour known by me to be the person of the above name and an officer of **PivotPoint, Inc.** duly authorized to execute this Trademark Assignment on behalf of **PivotPoint, Inc.**, who signed and executed the foregoing instrument on behalf of **PivotPoint, Inc.**



[Signature]  
Notary Public

My Commission Expires: June 3, 2000

**Schedule A**

<b><u>Trade/Service Mark</u></b>	<b><u>Registration No.</u></b>
THRU-PUT	75/658,954
THRU-PUT & Design	75/645,292
THRU-PUT & Design	75/644,926
THRU-PUT & Design	75/644,555
THRU-PUT TECHNOLOGIES	2,202,430
RESONANCE	2,002,568