

10-19-2000

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

9-29-00

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al document or copy thereof.

To the Honorable Commissioner of Patents and T

1. Name of Party(ies) conveying an interest:

New Dimension Software Ltd.  
Atidim, Neve Sharet, Devora Hanevia Street  
Building No. 7  
Tel Aviv, ILX

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

2. Name and Address of Party(ies) receiving an interest:

BMC Software, Inc.  
2101 CityWest Boulevard  
Houston, Texas 77042

- Individual
- General Partnership
- Corporation - Delaware
- Other
- Citizenship
- Association
- Limited Partnership

3. Interest Conveyed:

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

If not domiciled in the United States, a domestic representative designation is attached:

- Yes
- No

Effective Date: March 7, 1999

4. Application number(s) or registration number(s). Additional sheet attached?  Yes  No

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

See attached.

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

Name: Anita Nesser, Esq.  
Internal Address: Baker Botts L.L.P.  
Street Address: 2001 Ross Avenue  
City: Dallas  
State: Texas Zip: 75201

6. Number of applications and registrations involved: 16

7. Amount of fee enclosed or authorized to be charged: \$415.00

8. Deposit account number (Attach duplicate copy of this form if paying by deposit account):  
N/A

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.

Anita Nesser  
Name of Person Signing

*Anita Nesser*  
Signature

9/28/2000  
Date

Total number of pages including cover sheet 5

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

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Mail documents to be recorded with required cover sheet information:

10/18/2000 MTHA11 00000074 1568035

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

01 FC:481

40.00 OP

08 FC:482

375.00 OP

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U.S. Trademark Registrations

Registration No.	Issue Date	Mark
1,568,035	November 28, 1989	CONTROL-M
1,723,355	October 13, 1992	IOA
1,739,559	December 15, 1992	CONTROL R
1,742,863	December 29, 1992	CONTROL-D
1,742,879	December 29, 1992	IOA (Stylized)
1,745,621	January 12, 1993	CONTROL-D/PC
1,772,824	May 25, 1993	INTEGRATED OPERATIONS ARCHITECTURE
1,863,066	November 15, 1994	CONTROL-B
1,902,409	July 4, 1995	CONTROL-O
1,930,132	October 24, 1995	CONTROL-T
1,930,133	October 24, 1995	CONTROL-O/PC
2,024,905	December 24, 1996	CONTROL V
2,181,688	August 18, 1998	ENTERPRISE CONTROLSTATION
2,190,863	September 22, 1998	CONTROL-I/2000
2,226,413	February 23, 1999	ENTERPRISE SECURITYSTATION
2,234,498	March 23, 1999	CONTROL-SA

## TRADEMARK ASSIGNMENT

WHEREAS, NEW DIMENSION SOFTWARE LTD., an Israel corporation, having an address of Atidim, Neve Sharet, Devora Hanevia Street, Building No. 7, Tel Aviv, ILX (hereafter "Assignor"), was the owner of all right, title and interest in and to the marks identified in the attached Exhibit A (the "Marks") and the corresponding trademark registrations set forth on Exhibit A attached hereto; and

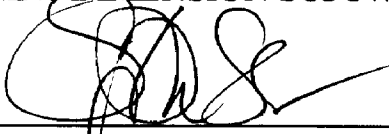
WHEREAS, BMC SOFTWARE, INC., a Delaware corporation, having an address of 2101 CityWest Boulevard, Houston, Texas 77042 (hereafter "Assignee"), did acquire all right, title and interest in and to Assignor's Marks and in and to the registrations therefor as the result of a Share Purchase and Tender Agreement having occurred on March 7, 1999 (the "Assignment Date").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant, assign and set over nunc pro tunc to Assignee, its successors, assigns and legal representatives, the entire right, title and interest in and to the Marks together with the goodwill of the business symbolized by the Marks throughout the world;

Assignor also assigns unto Assignee all claims for damages by reason of infringement prior to the Assignment Date of the Marks throughout the world, with the right to sue for and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns and other legal representatives.

IN WITNESS WHEREOF, the Assignor and its duly authorized representative has caused this Trademark Assignment to be executed on the date and in the capacity shown below.

NEW DIMENSION SOFTWARE LTD.



Printed Name: Stephen Solcher

Title: Secretary & Treasurer

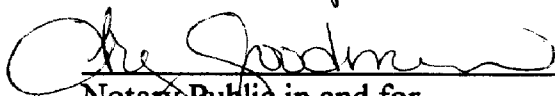
STATE OF Texas

§  
§  
§

COUNTY OF Harris

Before me, the undersigned, a Notary Public, on this day personally appeared Stephen Solcher, known by me to be the person and officer, as of the Assignment Date, whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of NEW DIMENSION SOFTWARE LTD., an Israel corporation, and that he/she has executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 22nd day of September, 2000.

  
Notary Public in and for  
the State of Texas

Printed Notary Name  
Tracy Goodman

My Commission Expires: 3/11/2004

## EXHIBIT A

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RECORDED: 09/29/2000

TRADEMARK  
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