

12-28-2000



101565245

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

MHW  
12-11-00

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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  
Effective Date  
Month Day Year
- Merger
- Change of Name
- Other

#### 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

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 Assignment.)
- Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

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) info **TRADEMARK**  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231  
**REEL: 002201 FRAME: 0144**

**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

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

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

#

**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)**

<input type="text" value="75/452303"/>	<input type="text" value="75/917238"/>	<input type="text" value="75/269991"/>	<input type="text" value="2075106"/>	<input type="text" value="1577522"/>	<input type="text" value="2342166"/>
<input type="text" value="75/114929"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2273585"/>	<input type="text" value="1897987"/>	<input type="text" value="1751669"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2294627"/>	<input type="text" value="2073321"/>	<input type="text" value="2190206"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

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.

Grazia T. Micewicz

*Grazia T. Micewicz*

12/4/00

Name of Person Signing

Signature

Date Signed

**RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY**

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

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

**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

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Other

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**Trademark Application Number(s) or Registration Number(s)**

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Trademark Application Number(s)

Registration Number(s)

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<input type="text" value="2035537"/>	<input type="text" value="2355607"/>	<input type="text"/>
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**ASSIGNMENT OF TRADEMARK**

ASSIGNMENT made this 20th day of November between Tivoli Systems Inc. ("Assignor"), and International Business Machines Corporation ("Assignee);

WHEREAS, the Assignor represents and warrants it has adopted, used and is using; and is the sole owner of the entire right, title and interest, including the goodwill associated therewith, in and to the following trademarks:

**APPLICATIONS:**

MARK	APPLICATION NO.	APPLICATION DATE	CLASS
Cross Site	75/452303	03/18/98	9
Planet Tivoli	75/917238	02/13/00	16, 35, 41
Tivoli Certified & Design	75/269991	04/07/97	42
TME 10	75/114929	06/06/96	9

**REGISTRATIONS:**

MARK	REGISTRATION NO.	REGISTRATION DATE	CLASS
Tivoli Management Environment	2,075,106	07/01/97	42
Netview	1,577,522	01/16/90	9
The Power To Manage. Anything. Anywhere.	2,342,166	04/18/00	9
The Power To Manage. Anything. Anywhere.	2,273,585	08/31/99	42
Tivoli	1,897,987	06/06/95	9
Tivoli	1,751,669	02/09/93	42
Tivoli & Design	2,294,627	11/23/99	9
Tivoli/ADE	2,073,321	06/24/97	9
Tivoli/AEF	2,190,206	09/22/98	9
Tivoli/Courier	2,078,578	07/15/97	9
Tivoli Enterprise Console	2,350,379	05/16/00	9
Tivoli/Sentry	2,075,107	07/01/97	9
TME	2,035,537	02/04/97	9
Tivoli Ready & Design	2,355,607	06/06/00	9

WHEREAS, Assignee is desirous of acquiring said marks, trademark registrations and applications thereof:

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said Assignor hereby irrevocably assigns, transfers and conveys to the Assignee, its successors, assigns or other legal representatives, all rights, title and interest in and to the said marks, and all trademark registrations and

**ASSIGNMENT OF TRADEMARK**

applications for trademark registrations in the United States and in all countries throughout the world, together with the goodwill of the business symbolized by the marks.

This assignment is effective as of the 20th of November, 2000.

ASSIGNOR

Dated: 11/20/00

By: Michael J. Twomey

TIVOLI SYSTEMS, INC.

Name: Michael J. Twomey

Title: Senior Vice President of Operations & Chief Financial Officer

On this 20th day of November, 2000 before me personally appeared Michael J. Twomey, who declared that he/she is duly and lawfully authorized to execute this Assignment on behalf of Tivoli Systems Inc. and acknowledged the foregoing signature to be his/her own.

Kristal Trotty  
Notary Public

