

04-20-2001



03-30-2001

101681945  
RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

ET237048435US

U.S. Patent & TMO/TM Mail Rcpt Dt. #61

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

Submission Type

- New M2D 3.30.01
- 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  
01/31/2001

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
01/31/2001

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

75691620

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

04/19/2001 T61A21 00000169 75691620  
01 FD:481 90.00 OP  
02 FD:482 100.00 OP

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

**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)**

**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.

Julene DeLo

Name of Person Signing

Signature

3/30/01

Date Signed

## TRADEMARK ASSIGNMENT

THIS AGREEMENT, entered into as of the date of last signature below, is between the following parties:

**IDEXX Laboratories, Inc.**, corporation organized and existing under the laws of the State of Delaware, U.S.A., with its principal place of business at 1 IDEXX Drive, Westbrook, Maine, 04092, U.S.A. (hereinafter "ASSIGNOR")

and

**BioControl Systems, Inc.**, a corporation organized and existing under the laws of the State of Delaware, U.S.A., with its principal place of business at 12822 S.E. 32<sup>nd</sup> Street, Bellevue, Washington 98003 (hereinafter "ASSIGNEE").

WHEREAS ASSIGNOR has adopted, used, is using and owns all right, title and interest the trademarks, the short particulars of which are set forth in Schedule A hereto (hereinafter the "Trademarks"), and has either obtained or applied for registration for such Trademarks in the United States and the foreign countries listed in Schedule A.

WHEREAS ASSIGNOR and ASSIGNEE now wish to complete the transfer of the Trademarks and related goodwill subject to the Asset Purchase Agreement by executing an assignment of the Trademarks by ASSIGNOR.

NOW, THEREFORE, IT IS HEREBY AGREED:

1. For good and valuable consideration, the receipt, sufficiency and adequacy of which is hereby acknowledged, ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors and assigns, free of any liens, claims, or encumbrances of any kind and as part of the transfer of the business to which the Trademarks pertain, the full and exclusive right, title and interest in and to the Trademarks, the registrations and applications set forth in Schedule A together with the goodwill associated therewith.

2. ASSIGNOR shall do all acts and execute all documents that may be reasonably required by ASSIGNEE in order to effect the assignment of the Trademarks, and all registrations and applications set forth in Exhibit A.

IN WITNESS WHEREOF, ASSIGNOR has caused this instrument to be executed by its duly authorized officer this 31 day of ~~February~~ <sup>January</sup>, 2000.

IDEXX LABORATORIES, INC.

By

  
S. Sam Fratoni, Vice President



ACKNOWLEDGEMENT

ASSIGNOR

State of Maine

:  
: ss.

County of Cumberland

On this 31<sup>ST</sup> day of ~~February~~ <sup>January</sup>, 2000 before me personally came S. Sam Fratoni, to me known, who, being duly sworn, deposes and says that he is the Vice President of IDEXX Laboratories, Inc. (ASSIGNOR), a corporation organized and doing business under the laws of the state of Delaware, that he is duly authorized and appointed by the said corporation to set the signature of said corporation to the within instrument of assignment and sale, and acknowledged the same to be the free act and deed of said corporation.

Kelly Libby  
Notary Public  
My Commission Expires 10/11/2003

KELLY L. LIBBY  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES 10/11/03

[Notary's Seal]

*Handwritten initials*

Schedule AU.S. Trademark Registrations

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
BIND	1,831,841	04/19/94
LIGHTNING	2,005,097	10/01/96
LIGHTNING TRAX	2,052,364	04/17/97
SIMPLATE	2,247,929	05/25/99

U.S. Trademark Applications

<u>Mark</u>	<u>Appl. No.</u>	<u>Filing Date</u>
FLASH	75/691,620	04/28/99

Foreign Trademark Registrations

<u>Country</u>	<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
Canada	LIGHTNING	TMA498616	08/13/98
France	LIGHTNING	95574063	06/01/95
Germany	LIGHTNING	39522717	08/23/95
Italy	LIGHTNING	717393	06/05/95
U.K.	LIGHTNING	2021036	05/19/95
Canada	SIMPLATE	TMA490494	02/25/98
Mexico	SIMPLATE	570394	07/11/97

Foreign Trademark Applications

<u>Country</u>	<u>Mark</u>	<u>Appl. No.</u>	<u>Filing Date</u>
EU	FLASH	1347343	10/15/99
Japan	LIGHTNING	50829/1995	05/23/95
Spain	LIGHTNING	1968168	05/30/95
Spain	LIGHTNING	2190895	10/21/98
Brazil	SIMPLATE	819979007	07/21/97
EEC	SIMPLATE	301390	06/14/96
Japan	SIMPLATE	66409/1996	06/17/96

JR