

09-10-2001

REC



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

Post Office Box 7068
Pasadena, CA 91109-7068

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

<p>1. Name of conveying party(ies): WHEREAS, CELLWARE BREITBAND TECHNOLOGIE GmbH <i>09/04/01</i></p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Other <input checked="" type="checkbox"/> Exists Under Laws of Federal Republic of Germany</p> <p>Additional name(s) of conveying party(ies) attached: NO</p>	<p>2. Name and address of receiving party(ies): Name: ADVA AG OPTICAL NETWORKING Street Address: Frauenhoferstr 11, D-82152 Martinsried, Germany</p> <p><input type="checkbox"/> Individual(s) citizenship <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Other: <input checked="" type="checkbox"/> Exists Under Laws of Federal Republic of Germany</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: NO (Designation must be a separate document from Assignment). Additional name(s) & address(es) attached? NO</p>
<p>3. Name of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:</p> <p>Execution Date: November 24, 2000</p>	
<p>4. A. Trademark Application No.(s) 75/255,127</p> <p><i>09/07/2001 TDIAZI 00000217 75255127</i> <i>01 FC:481 40.00 DP</i></p>	<p>4. B. Trademark Registration No.(s)</p> <p>Additional numbers attached? NO</p>
<p>5. Please return the recorded document and address all correspondence to: CHRISTIE, PARKER & HALE, LLP P.O. Box 7068 Pasadena, CA 91109-7068 Attention: David A. Plumley</p>	<p>6. Total number of applications or registrations involved..... 1</p> <p>7. <input checked="" type="checkbox"/> Total fee enclosed (37 CFR 3.41): \$ 40.00</p> <p>8. <input checked="" type="checkbox"/> Any deficiency or overpayment of fees should be charged or credited to Deposit Account No. 03-1728, except for payment of issue fees required under 37 CFR § 1.18. Please show our docket number with any credit or charge to our Deposit Account.</p>
<p>10. <input type="checkbox"/> Explanatory letter is enclosed.</p> <p>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.</p> <p>Date: August 31, 2001</p> <p>By <u><i>David A. Plumley</i></u> Name: David A. Plumley 626/795-9900</p> <p><i>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on August 31, 2001.</i></p> <p><u><i>Carly Stearns</i></u> Signature</p>	<p>Total number of pages including cover sheet, attachments, and document: 2</p>

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TRADEMARK AND SERVICE MARK ASSIGNMENT

WHEREAS, CELLWARE BREITBAND TECHNOLOGIE GmbH, a corporation organized and existing under the laws of the Federal Republic of Germany, having a place of business at Gustav-Meyer-Allee 25, 13355 Berlin, Germany ("ASSIGNOR" herein), is the owner of the following mark as evidenced by its application in the United States Trademark Office.

<u>Mark</u>	<u>Serial. No.</u>	<u>Filing Date</u>	<u>Docket No.</u>
CELLWARE BROADBAND and design	75/255,127	March 6, 1997	30204/DAP/W347

WHEREAS, ADVA AG OPTICAL NETWORKING, a corporation organized and existing under the laws of the Federal Republic of Germany, having a place of business at Fraunhoferstr 11, D-82152 Martinsried ("ASSIGNEE" herein), desires to acquire said mark and the above-identified application thereof, together with the goodwill of the business in connection with which said mark is used.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR does hereby assign unto said ASSIGNEE all right, title and interest in and to the above mark and the above-identified application thereof, and all rights and privileges pertaining to said mark, together with the goodwill of the business symbolized by the mark.

ASSIGNOR further agrees that it shall render all reasonable assistance to ASSIGNEE, and will, from time-to-time, execute all instruments and documents necessary to maintain, preserve or protect the mark and its application, and to perfect the record title of ASSIGNEE in and to said mark, its application and registration that issues thereon.

CELLWARE BREITBAND TECHNOLOGIE GmbH

Date November 24, 2000

By 
Signature

Print Name: Ulrich Mohr

Title: General Manager

WITNESSES:

