

10-29-2001

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Director of Patents and Trademark

101888280

s or copy thereof.

1. Name of conveying party(ies): Octane Software, Inc.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State California
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

SUPPORTING DOCUMENTATION ARE ATTACHED IN
CONNECTION WITH MERGER. AGREEMENT IS CONFIDENTIAL,
THEREFORE, A COPY OF THE REDACTED AGREEMENT AND
PLAN OF REORGANIZATION IS ATTACHED.

2. Name and address of receiving party(ies):

Name: E.piphany, Inc.

Internal Address: _____

Street Address: 1900 South Norfolk Street, Suite 310City San Mateo State CA ZIP 94403

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State California
☐ Other _____

If assignee is not domiciled in the United States, a domestic
representative designation is attached:☐ Yes ☐ No

(Designation must be a separate document from Assignment)

Additional name(s) & address(es) attached? ☐ Yes ☐ No

3. Nature of Conveyance:

- ☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Resubmission of DOCUMENT 101762507

Execution Date: March 14, 2000

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,393,299Additional numbers attached? ☐ Yes ☒ No5. Name and address of party to whom correspondence
concerning document should be mailed:Name: Alexandra J. HorneInternal Address: SKJERVEN MORRILL MacPHERSON LLPStreet Address: 25 METRO DRIVE, SUITE 700City SAN JOSE State CA ZIP 951106. Total number of applications and registrations involved: 17. Total fee (37 CFR 3.41):\$ 40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number: 19-2386
(Attach duplicate copy of this page if paying by deposit account)

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.

Alexandra J. Horne CA Bar No. 162,066
Name of Person Signing

Alexandra J. Horne
Signature

October 4, 2001
Date

Total number of pages comprising cover sheet: 6

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

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TRADEMARK

REEL: 2389 FRAME: 0965

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AGREEMENT AND PLAN OF REORGANIZATION

This AGREEMENT AND PLAN OF REORGANIZATION (the "Agreement") is made and entered into as of March 14, 2000 among E.PIPHANY, INC., a California corporation ("Parent"), ORCHID ACQUISITION CORPORATION, a California corporation and a wholly-owned subsidiary of Parent ("Sub") and OCTANE SOFTWARE, INC., a California corporation (together with its subsidiaries, as applicable, the "Company").

IN WITNESS WHEREOF, Parent, Sub, the Company, the Escrow Agent and the Securityholder Agent have caused this Agreement to be signed, all as of the date first written above.

E.PIPHANY, INC.

By: [Signature]
Name: ROGER SIBONI
Title: CEO

OCTANE SOFTWARE, INC.

By: _____
Name: _____
Title: _____

ORCHID ACQUISITION CORPORATION

By: [Signature]
Name: ROGER SIBONI
Title: CEO

**ESCROW AGENT:
U.S. BANK TRUST N.A.
(for purpose of Article VII only)**

By: _____
Name: _____
Title: _____

SECURITYHOLDER AGENT:

David N. Stohm
(for purposes of Article VII only)

By: _____
Name: _____

Post-it Fax Note 7671		Date 3/14/00	# of pages 1
To Sanjay Khare		From D. Strohm	
Co./Dept.		Co.	
Phone #		Phone #	
Fax # 650 233 8386		Fax #	

IN WITNESS WHEREOF, Parent, Sub, the Company, the Escrow Agent and the Securityholder Agent have caused this Agreement to be signed, all as of the date first written above.

E.PIPHANY, INC.

By: _____
 Name: _____
 Title: _____

OCTANE SOFTWARE, INC.

By: _____
 Name: _____
 Title: _____

ORCHID ACQUISITION CORPORATION

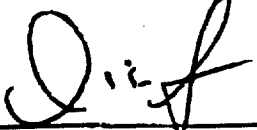
By: _____
 Name: _____
 Title: _____

ESCROW AGENT:
U.S. BANK TRUST N.A.
 (for purpose of Article VII only)

By: _____
 Name: _____
 Title: _____

SECURITYHOLDER AGENT:

David N. Strohm
 (for purposes of Article VII only)

By: 
 Name: DAVID N. STROHM

IN WITNESS WHEREOF, Parent, Sub, the Company, the Escrow Agent and the Securityholder Agent have caused this Agreement to be signed, all as of the date first written above.

E.PIPHANY, INC.

By: _____
Name: _____
Title: _____

OCTANE SOFTWARE, INC.

By: _____
Name: TIM GUKKAI
Title: CEO

ORCHID ACQUISITION CORPORATION

By: _____
Name: _____
Title: _____

ESCROW AGENT:
U.S. BANK TRUST N.A.
(for purpose of Article VII only)

By: _____
Name: _____
Title: _____

SECURITYHOLDER AGENT:

David N. Strohm
(for purposes of Article VII only)

By: _____
Name: _____

IN WITNESS WHEREOF, Parent, Sub, the Company, the Escrow Agent and the Securityholder Agent have caused this Agreement to be signed, all as of the date first written above.

ROSE, INC.

By: _____
Name: _____
Title: _____

ORCHID, INC.

By: _____
Name: _____
Title: _____

ORCHID ACQUISITION CORPORATION

By: _____
Name: _____
Title: _____

ESCROW AGENT:
U.S. BANK TRUST N.A.
(for purpose of Article VII only)

By: Ann Gadsby
Name: ANN GADSBY
Title: VICE PRESIDENT

SECURITYHOLDER AGENT:

[]

(for purposes of Article VII only)

By: _____
Name: _____
Title: _____

[Signature Page To Agreement and Plan of Reorganization]

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