

07-29-2002



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Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office Client/Matter: 137271/001

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

7-29-02

1. Name of conveying party(ies): Digital Reality
Individual(s) Association General Partnership Limited Partnership Corporation-State Other New York Partnership
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies) Name: Digital Reality Corporation Internal Address: Street Address: 362 West Broadway City: New York State: NY Zip: 10013
Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State New York Other
If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No (Designations 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
Execution Date: May 7, 2002

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) 1,454,952 1,452,981
Additional number(s) attached Yes No

6. Total number of applications and registrations involved: 2

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Laura E. Goldbard, Esq. Internal Address: Stroock & Stroock & Lavan LLP Street Address: 180 Maiden Lane City: New York State: NY Zip: 10038

7. Total fee (37 CFR 3.41).....\$ 65.00 Enclosed Authorized to be charged to deposit account
8. Deposit account number: 19-4709 (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. Laura E. Goldbard Signature July 25, 2002 Date
Name of Person Signing Signature Date
DBYRNE 0000050 194709 1454952 Total number of pages including cover sheet, attachments, and document: 3

07/30/2002

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Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

ASSIGNMENT OF TRADEMARKS

WHEREAS, DIGITAL REALITY, a New York partnership, having its principal place of business at 362 West Broadway, New York, New York 10013 (hereinafter referred to as "ASSIGNOR"), is the owner of the trademarks and the record owner of the U.S. Trademark Registration No. 1,454,952 for the mark EARTHSPACE and U.S. Trademark Registration No. 1,452,981 for the mark DIGITAL REALITY (hereinafter referred to as the "TRADEMARKS"); and

WHEREAS, DIGITAL REALITY CORPORATION, a New York corporation, having a principal place of business at 362 West Broadway, New York, New York 10013 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring all of the rights, title and interest of ASSIGNOR in, to and under the TRADEMARKS, together with the goodwill of the business associated with the TRADEMARKS:

NOW THEREFORE, in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration paid by ASSIGNEE to ASSIGNOR, the sufficiency and receipt of which is hereby acknowledged, ASSIGNOR confirms the transfer and hereby transfers and assigns to ASSIGNEE the entire right, title and interest in and to the TRADEMARKS together with the goodwill of the business associated with the TRADEMARKS and the United States registrations and applications therefor; and

ASSIGNOR, does also hereby sell, assign, transfer and set over unto ASSIGNEE, its successors, legal representatives and assigns all claims for damages by reason of past infringement of the TRADEMARKS, the right to sue for and collect the same for its own use and enjoyment and for the use and enjoyment of its successors, assigns or other legal representatives; and


ASSIGNOR, further authorizes the Commissioner of Patents and Trademarks of the United States, whose duty it is to record trademark registrations, applications and title thereto, to record the TRADEMARKS and title thereto as the property of the ASSIGNEE, its successors, legal representatives and assigns in accordance with the terms of this instrument; and

IN WITNESS WHEREOF, ASSIGNOR has executed this instrument on this SEVENTH day of MAY, 2002.

DIGITAL REALITY
(a New York Partnership)

By: 
Name: Demetri Daphnis
Title: Partner

DIGITAL REALITY CORPORATION
(a New York corporation)

By: 
Name: Demetri Daphnis
Title: President