

To the Honorable Commissioner of Patents and Trademarks: Please

102174833

1. Name of conveying party(ies):  
 Coherent Networks, Inc.

Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation-State of New York  
 Other \_\_\_\_\_

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

2. Name and address of receiving party(ies):  
 Name: CNi/Osmose, Inc.  
 Street Address: 980 Ellicott Street  
 City: Buffalo State: NY ZIP: 14209-2398

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State of Delaware  
 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) and address(es) attached?  Yes  No

3. Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

Execution Date: June 7, 2002

4. Application number(s) or patent number(s):  
 A. Trademark Application No.(s) 76/203,766      B. Trademark No.(s) \_\_\_\_\_

Additional Numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Kevin D. McCarthy  
Hodgson Russ LLP  
 Internal Address: Intellectual Property Law Section  
 Street Address: One M&T Plaza, Suite 2000  
 City: Buffalo State: NY ZIP: 14203-2391

6. Total number of applications and registrations involved: 1 1

7. Total fee (37 CFR 3.41)..... \$40.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
08-2442  
 (Attach duplicate copy of this page if paying by deposit account)

07/31/2002 DBYRNE 00000013 76203766  
 08 FE+481 40.00 DP

DO NOT USE THIS SPACE

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.

Christopher J. Milne  
Name of Person Signing

*Christopher J. Milne*  
Signature

July 24, 2002  
Date

Total number of pages including cover sheet, attachments and document:

2

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

**ASSIGNMENT**

**Mark: FASTGATE**

**Serial No. 76/203766**

WHEREAS, Coherent Networks, Inc., a New York corporation, with its New York principal place of business and correspondent place of business at One Adler Drive, East Syracuse, New York 13057, the owner in the United States of America of the trademark FASTGATE for computer software for use in database management for utilities and other energy distribution businesses, submitted for registration under serial number 76/203766 (the "Mark"); and

WHEREAS, A Notice of Allowance dated November 6, 2001 has issued for the Mark; and


WHEREAS, A Statement of Use for the Mark was mailed to the Trademark Office on December 18, 2001; and

WHEREAS, CNI/Osmose, Inc., a Delaware corporation with its principal place of business and its correspondent office at 980 Ellicott Street, Buffalo, New York 14209-2398, is desirous of acquiring the rights to the Mark;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Coherent Networks, Inc., does hereby sell, assign, and transfer to CNI/Osmose, Inc. all right, title and interest of the Mark, and the intent to use registration filed in connection therewith, together with the goodwill associated with the Mark.

IN WITNESS WHEREOF, Coherent Networks, Inc., in its aforesaid capacity, has caused these presents to be executed by the hand of its duly authorized officer this 7<sup>th</sup> day of June, 2002.

Coherent Networks, Inc.

  
Name: Richard E. Mace  
Title: CEO

SUBSCRIBED AND SWORN

to before me this 7<sup>th</sup> day of June, 2002.

  
Notary Public

DAVID A. HOLSTEIN  
Notary Public in the State of New York  
Qualified in Onondaga County No 4624019  
My Commission Expires November 30, 2002

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RECORDED: 07/29/2002

TRADEMARK  
REEL: 2552 FRAME: 0782