

08-01-2002



OFFICE OF PATENT RECORDS

102174358

Attorney Docket No. 085002-0US

Form PTO-1594

(Rev. 03-01)
OMB No. 0651-0027 (exp. 5/31/2002)

Recordation

TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Tab settings >>> ▼ FINANCE ▼ SECTION ▼ ▼ ▼ ▼ ▼

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

1. Name of conveying party(ies):

XANTF.EX TECHNOLOGY INC.

7.29.02

- Individual(s)
- General Partnership
- Corporation - State of Washington
- Other
- Association
- Limited Partnership

Additional name(s) of conveying parties attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: March 31, 2002

2. Name and address of receiving party(ies)

Name: XANTREX INTERNATIONAL

Internal Address:

Street Address: Suite No. 3, Stafford House, The Garrison

City: St. Michael Country: Barbados

- Individual(s) citizenship
- Association
- General Partnership - Barbados
- Limited Partnership
- Corporation
- 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

4. Application Number(s) or Registration Number(s).

A. Trademark Application No(s):

B. Trademark Registration No(s): 1,989,079

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Paul W. Vapnek, Esq.
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

6. Total number of applications and registrations involved 1

7. Total fee (37 CFR 3.41): \$40

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 20-1430

(Attach duplicate copy of this page if paying by deposit account)

07/31/2002 TDIAZ1 00000082 201430 1989079
01 FC:481 40.00 CH

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Paul W. Vapnek
Name of Person Signing

Paul W. Vapnek
Signature

July 22, 2002
Date

Total number of pages including cover sheet, attachments and document: 4

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re registration of:

XANTREX INTERNATIONAL

Registration No.: 1,989,079

Registered: July 23,1996

Mark: **FLEET POWER**

**DESIGNATION OF DOMESTIC
REPRESENTATIVE**

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Registrant hereby appoints Paul W. Vapnek and each member of TOWNSEND and TOWNSEND and CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111, as its representative upon whom notice or process in proceedings affecting this registration may be served.

Correspondence Address

Please direct any communications pertaining to this Declaration to:

Paul W. Vapnek
Townsend and Townsend and Crew LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Phone: 415-576-0200
Fax: 415-576-0300

XANTREX INTERNATIONAL

Dated: July 17, 2002

By: 

Name: Mossadiq Umedaly


Title: Chairman and Chief Financial Officer

SF 1360685 v1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on July 22, 2002.

TOWNSEND and TOWNSEND and CREW LLP

By: 
Lois M. Simón

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re registration of:

XANTREX INTERNATIONAL

Registration No.: 1,989,079

Registered: July 23, 1996

Mark: **FLEET POWER**

**REVOCATION AND SUBSTITUTION
OF POWER OF ATTORNEY**

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Madam:


The undersigned, Xantrex International, hereby revokes all previous powers of attorney and appoints Paul W. Vapnek and each member of TOWNSEND and TOWNSEND and CREW LLP, its attorneys, with full power of substitution and revocation to appoint other principal and associate attorneys, and to transact all business in the Patent and Trademark Office connected with this registration.

Please direct all future correspondence regarding this application to:

Paul W. Vapnek, Esq.
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (415) 576-0200
Facsimile: (415) 576-0300

XANTREX INTERNATIONAL

Date: July 12, 2002

By: 

Name: Mossadiq Umedaly

Title: Chairman and Chief Executive Officer

SF 1360682 v1

ATTORNEY DOCKET 085002-0US
REGISTRATION NO. 1,989,079

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TRADEMARK
REEL: 002553 FRAME: 0589

ASSIGNMENT

THIS ASSIGNMENT is made the 31st day of March, 2002

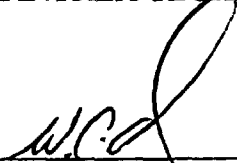
WHEREAS, Xantrex Technology Inc. ("Assignor"), a corporation of the State of Washington, the full post office address of whose principal office or place of business is 5916 195th Northeast, Arlington, Washington 98223, United States of America, is the owner in Canada, the United States of America and Europe of the trade-marks listed in the attached Schedule ("the Trade-marks").

AND WHEREAS, Xantrex International ("Assignee"), a partnership of Barbados, the full post office address of whose principal office or place of business is Suite #3, Stafford House, The Garrison, St. Michael, Barbados, is desirous of acquiring the rights to the Trade-marks in Canada, the United States of America and Europe;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said Assignor does hereby sell, assign and transfer to Assignee all right, title and interest of the Trade-marks, together with the goodwill attaching to the Trade-marks, and the right to recover for past infringement of the Trade-marks;

IN WITNESS WHEREOF, the parties hereto have hereunto executed this document.

XANTREX TECHNOLOGY INC.

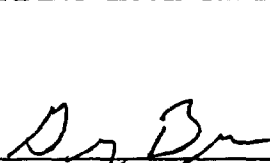


 (signature)

Name: W.C. CASTUEAS

Title: VP & CFO

XANTREX INTERNATIONAL



 (signature)

Name: GREG BROWN

Title: PRESIDENT & COO

SCHEDULE

CANADA

<u>Trade-mark</u>	<u>Registration No.</u>
FLEET POWER	TMA505,467
TRACE INTERNATIONAL	TMA514,756

UNITED STATES OF AMERICA

<u>Trade-mark</u>	<u>Registration No.</u>
COMBI	2,372,222
FLEET POWER	1,989,079
FREEDOM JAZZ	2,287,148
HEART INTERFACE	1,688,895
HEART INTERFACE LOGO	2,260,997
TRACE ENGINEERING	1,727,302

<u>Trade-mark</u>	<u>Application No.</u>
SUNMASTER	75/603,128

EUROPEAN COMMUNITY

<u>Trade-mark</u>	<u>Registration No.</u>
HEART INTERFACE	884213
TRACE INTERNATIONAL	325001

STATEMENT UNDER 37 CFR 3.73(b)

Registrant/Assignor: Xantrex Technology Inc.

Application No./Registration No.: 1,989,079 Additional numbers attached. [] Filed/Issued: July 23, 1996

Trademark/Service Mark: FLEET POWER Additional marks attached. [] Additional dates attached. []

Xantrex International a partnership of Barbados

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1. [x] the assignee of the entire right, title, and interest; or
2. [] an assignee of an undivided part interest

in the Trademark Application/Registration identified above by virtue of either:

A. [] An assignment from the Assignor(s) of the Trademark Application/Registration identified above. The assignment was recorded in the Trademark and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. [x] A chain of title from the Assignor(s), of the Trademark Application/Registration identified above, to the current Assignee as shown below:

- 1. From: Xantrex Technology Inc. To : Xantrex International
The document was recorded in the United States Trademark and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: Xantrex Technology USA Inc. To : Xantrex Technology Inc.
The document was recorded in the United States Trademark and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: Heart Interface Corporation To : Xantrex Technology USA Inc.
The document was recorded in the United States Trademark and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

[x] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

July 22, 2002
Date

[Handwritten Signature]
Signature

Paul W. Vapnek
Typed or printed name

Attorney and Domestic Representative for Registrant
Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Trademark and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SF 1360607 v1