

RECORD  
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11-08-2002  
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DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

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

1. Name of conveying party(ies):

11-5-02  
**EMC Corporation**  
**171 South Street**  
**Hopkinton, MA 01748**

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation-State **Massachusetts**  
☐ Other \_\_\_\_\_

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: **September 20, 2002**

2. Name and address of receiving party(ies)

Name: **Diligent Technologies Corporation**

Internal

Address: \_\_\_\_\_

Street Address: **945 Concord Street**

City: **Framingham** State: **MA** Zip: **01701**

☐ Individual(s) citizenship \_\_\_\_\_

☐ Association \_\_\_\_\_

☐ General Partnership \_\_\_\_\_

☐ Limited Partnership \_\_\_\_\_

☒ Corporation-State **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) & address(es) attached? ☐ Yes ☒ No

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

A. Trademark Application No.(s)

**78/085,630**

B. Trademark Registration No.(s)

Additional number(s) attached ☐ Yes ☒ No

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

Name: **John M. Gunther**

Internal Address: **Legal Department**

Street Address: **171 South Street**

City: **Hopkinton** State: **MA** Zip: **01748**

6. Total number of applications and registrations involved: **51**

7. Total fee (37 CFR 3.41).....\$ **40.00**

☐ Enclosed

☒ Authorized to be charged to deposit account  
**050889**

8. Deposit account number: **05-0889**

(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.

**John M. Gunther**

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **3**

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

11/07/2002 6TOM11 00000196 050889 78085630

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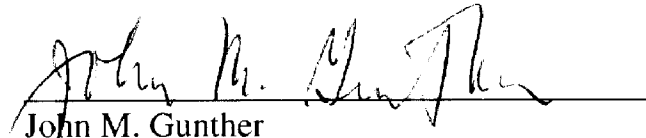
TRADEMARK  
REEL: 002613 FRAME: 0319

**STATEMENT CONCERNING TECHNOLOGY LICENSE AGREEMENT BETWEEN  
DILIGENT TECHNOLOGIES CORPORATION AND EMC CORPORATION**

I, John M. Gunther, Vice President and Assistant General of EMC Corporation, hereby state as follows:

1. Effective September 20, 2002, EMC Corporation ("EMC"), 171 South Street, Hopkinton, MA 01748, and Diligent Technologies Corporation ("Diligent"), 945 Concord Street, Framingham, MA 01701, executed several agreements, including a Technology License Agreement.
2. In this Technology License Agreement, EMC assigned, transferred, set over and conveyed to Diligent all of EMC's right, title and interest in and to the EMC trademark "Fastrax". As part of this transfer, EMC is required to assign to Diligent Trademark Application Number 78/085,630, with a filing date of September 26, 2001, including any goodwill associated with and symbolized by said trademark.
3. Therefore, EMC is to execute and file an assignment in the United States Patent and Trademark Office, assigning EMC's interest in the aforementioned trademark application to Diligent.

Executed this 30<sup>th</sup> day of October, 2002.

  
John M. Gunther  
Vice President and Assistant General Counsel

Commonwealth of Massachusetts ) ss.

County of Middlesex )

Subscribed and sworn to before me by the above-named John M. Gunther, this 30<sup>th</sup>  
day of October, 2002.

  
(Notary Public)

RB\TMFms\DiligentandEMCStatement.doc

MARSHA R. BALLANTYNE  
Notary Public  
My Commission Expires October 2, 2005

**RECORDED: 11/05/2002**

**TRADEMARK  
REEL: 002613 FRAME: 0320**