

12-11-2002

Form PTO-1594
6-93

RECOR



EET

U.S. Department of Commerce
Patent and Trademark Office

102308438

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

12-11-02

1. Name of conveying party(ies):

Portera Systems

- Individual(s)
- General Partnership
- Limited Partnership
- Other: _____
- Corporation- CA
- Association

Additional name(s) of conveying party(ies) attached?

Yes No

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

Exigen Properties, Inc.

Street Address:

**505 Montgomery Street
Suite 2300**

City / State:

San Francisco, CA 94111

- Individual(s)
- General Partnership
- Limited Partnership
- Other: **British Virgin Islands**
- If Assignee is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be separate document from Assignment.)
- Corporation- Association

Additional name(s) of conveying party(ies) attached?

Yes No

3. Nature of conveyance:

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

Execution Date: June 3, 2002

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

A. Trademark Application No.(s)

75/607,856 75/609,435 76/226,092
76/226,093 76/226,099 76/226,668

B. Registration No.(s)

2,455,902

Additional numbers attached?

Yes No

RECEIVED
2002 DEC 11 PM 2:24
ASSIGNMENT

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

Name: **Jane Shay Wald, Esq.**
Address: **Irell & Manella LLP
1800 Avenue of the Stars
Suite 900**

City: **Los Angeles**
State: **CA**
Zip: **90067**

6. Total no. of applications and registrations involved: 7

7. Total fee (37 CFR 3.41): \$ 190.00

- Enclosed
- Authorized to charge to deposit account

8. Deposit account number: 09-0946

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.

Jane Shay Wald
Name of person signing

Jane S. Wald
Signature

December 9, 2002
Date

Total number pages including cover sheet, attachments, and documents: 6

12/11/2002 TDI A21 00000165 75607856

01 FC:8521 40.00 OP
02 FC:8522 150.00 OP

Trademark Assignment

WHEREAS, the undersigned, Portera Systems, a California corporation having a place of business at 1715 Dell Avenue, Campbell, California 95008 (the "Assignor") has adopted and is using certain marks, or, as to pending applications filed under Section 1(b) of the Lanham Act has maintained an intent to use such marks, as set forth in Schedule A ("Trademarks") attached hereto (collectively, the "Marks"); and

WHEREAS Exigen Properties, Inc., a British Virgin Islands corporation having a place of business at c/o Exigen, Ltd., 505 Montgomery Street, Suite 2300, San Francisco, California 94111 (the "Assignee") has succeeded to the business and appurtenant goodwill of the Assignor with respect to such Marks and pending applications and registrations therefor;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Assignor does hereby assign to the Assignee all of Assignor's rights, title and interest in and to said Marks, and the applications and/or registrations together with the business and goodwill appurtenant thereto, and together with the right to recover for damages and profits from past infringements thereof, if any.

The Assignor shall at the Assignee's request, following the execution of this Agreement, assist the Assignee as may be necessary (including by executing necessary documents) to establish Assignee as owner of record of the Trademarks in any country in which the Trademarks are registered or are the subject of a pending application.

Executed at Palo Alto, CA, this 3rd day of June 2002.

EXIGEN PROPERTIES, INC.

By: _____

Name: _____

Title: _____

WITNESS

By: _____

Name: _____

Title: _____

WITNESS

By: _____

Name: _____

Title: _____

PORTERA SYSTEMS

By: James M. Koshland

Name: James M. Koshland

Title: Secretary

WITNESS

By: Melissa Fruge

Name: Melissa Fruge

Title: n/a

WITNESS

By: Michelle Lewis

Name: MICHELLE LEWIS

Title: n/a

IN WITNESS WHEREOF, Assignor has executed and delivered this instrument to Assignee effective the 3rd day of June, 2002.

ASSIGNOR: Portera Systems

Today's
Date: June 3, 2002

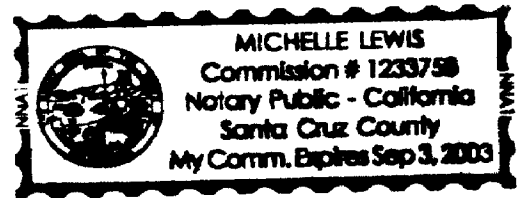
By: James M. Koshland
Title: Secretary

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On June 3, 2002 before me, Michelle Lewis, Notary Public, personally appeared James M. Koshland, personally known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Michelle Lewis
Notary Public



Schedule A

TRADEMARKS

United States

TRADEMARK/ COUNTRY	APPLICATION/ REGISTRATION No.	INTERNATIONAL CLASS/ DESCRIPTION OF GOODS AND SERVICES
PORTERA United States	Application No. 75/607,856	International Class 9: Computer software for database applications, namely, computer software that creates indexes of information, sites and other resources available on computer networks; software that searches and retrieves information, sites, and other resources available on computer networks; software that provides an online link to news; current events and reference materials
PORTERA United States	Application No. 75/609,435	International Class 42: Computer services, namely, creating indexes of information, sites and other resources available on computer networks for others; searching and retrieving information, sites and other resources available on computer networks for others; providing news, current events and reference materials by means of linking to the sites of others

TRADEMARK/ COUNTRY	APPLICATION/ REGISTRATION NO.	INTERNATIONAL CLASS/ DESCRIPTION OF GOODS AND SERVICES
PORTERA United States	Application No. 76/226,668	International Class 9: Computer software, namely computer software for professional services automation, business management, accounting and financial management, training, procurement, customer relationship management, sales and marketing automation, project management, product professional services management, field service management, product defect tracking, knowledge management, product and service data management, product content management, product configuration management, project and cost accounting, middleware for connecting applications, application integration, materials management, product development, production planning, material resource planning (MRP), project staffing, enterprise resource planning (ERP), human resources management, employee benefits management, service supply chain management, time and expense tracking, data warehousing, procurement management, contract management, web site interface management, electronic mail management, calendaring and scheduling, and messaging; user manuals supplied as a unit with the foregoing
PORTERA United States	Application No. 76/226,093	International Class 42: Application service provider, namely, hosting computer software applications for others; providing web services; computer services, namely, designing and creating web sites for others; integrating computer software and online business services for others; providing virtual facilities for real-time interaction by computer users; consulting in the field of computers; computer software programming and configuration for others; installation of computer software for others; updating of computer software for others; computer software design for others; maintenance of computer software and technical support services, namely, troubleshooting of computer software problems via electronic means, telephone or in person; computer software integration consulting services

TRADEMARK/ COUNTRY	APPLICATION/ REGISTRATION NO.	INTERNATIONAL CLASS/ DESCRIPTION OF GOODS AND SERVICES
SERVICEPORT United States	Application No. 76/226,099	International Class 9: Computer software, namely computer software for professional services automation, business management, accounting and financial management, training, procurement, customer relationship management, sales and marketing automation, project management, product professional services management, field service management, product defect tracking, knowledge management, product and service data management, product content management, product configuration management, middleware for connecting applications, application integration, materials management, production planning, material resource planning (MRP), project staffing, enterprise resource planning (ERP), human resources management, employee benefits management, service supply chain management, time and expense tracking, data warehousing, procurement management, contract management, portal management, electronic mail management, calendaring and scheduling, and messaging; user manuals supplied as a unit with the foregoing
SERVICEPORT United States	Application No. 75/582,834 Registration No. 2,455,902	International Class 42: Computer services, namely, creating indexes of information, sites, and other resources available on computer networks for others; searching and retrieving information, sites, and other resources available on computer networks, providing an online link to news, current events and reference materials
SERVICEPORT United States	Application No. 76/226,092	International Class 42: Application service provider, namely, hosting computer software applications for others; providing web services; computer services, namely, designing and creating web sites for others; integrating computer software and online business services for others; providing virtual facilities for real-time interaction by computer users; consulting in the field of computers; computer software programming and configuration for others; installation of computer software for others; updating of computer software for others; computer software design for others; maintenance of computer software and technical support services, namely, troubleshooting of computer software problems via electronic means, telephone or in person; computer software integration consulting services