

12-20-2002

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)



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

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

1. Name of conveying party(ies):

12/16/02

Hewlett-Packard Company

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

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

2. Name and address of receiving party(ies)

Name: Marxmeier Software AG

Internal

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

Street Address: Besenbruchstr. 9

City: 42285 Wuppertal State: \_\_\_\_\_ Zip: GERMANY

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State \_\_\_\_\_

Other German private limited

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

OFFICE OF PUBLIC RECORDS  
2002 DEC 16 AM 10:54  
FINANCE SECTION

3. Nature of conveyance:

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

Execution Date: 11/20/02

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

A. Trademark Application No.(s) \_\_\_\_\_

B. Trademark Registration No.(s) 1,691,226

Additional number(s) attached  Yes  No

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

Name: Chetuan L. Shaffer

Internal Address: Legal Department, ms 1051

Street Address: 3000 Hanover Street

City: Palo Alto State: CA Zip: 94304

6. Total number of applications and registrations involved: 1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

08-2025

**DO NOT USE THIS SPACE**

9. Signature.

Chetuan L. Shaffer

Name of Person Signing

*Chetuan L. Shaffer*  
Signature

November 20, 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 Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

12/19/2002 TDIAZ1 0000064 082025 1691226

01 FC:8521 40.00 CH

**TRADEMARK**  
**REEL: 002636 FRAME: 0333**

In the matter of

Registration No.: 1,691,226  
Registration Date: June 9, 1992  
Mark: ELOQUENCE  
Registrant: Marxmeier Software AG

Box NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

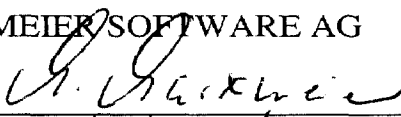
DESIGNATION OF DOMESTIC REPRESENTATIVE

Registrant, Marxmeier Software AG, hereby designates Patrick J. Finnan and Edell, Shapiro, Finnan & Lytle, LLC, a law firm, whose postal address is 1901 Research Boulevard, Suite 400, Rockville, Maryland 20850-3164, telephone number (301) 424-3640, Registrant's domestic representative in the United States upon whom notice of process in proceedings affecting the above-referenced mark may be served, pursuant to Section 1(e) of the Lanham Act, 15 U.S.C. § 1051(e), and 37 C.F.R. § 2.24.

Dated: December 06, 2002.

Respectfully submitted,

MARXMEIER SOFTWARE AG

By   
Name: Michael Marxmeier  
Title: Vorstand

## ASSIGNMENT OF REGISTERED MARK

**THIS ASSIGNMENT OF REGISTERED MARK** is made on November 20, 2002 ("Effective Date"), from Hewlett-Packard Company, a Delaware corporation, having its principal place of business at 3000 Hanover Street, Palo Alto, California 94304 ("HP") to Marxmeier Software AG, having offices at Besenbruchstr.9, 42285 Wuppertal, Germany ("MSA").

### RECITALS

**WHEREAS**, HP has adopted, used, is using and is the owner of the mark "ELOQUENCE" which is registered in the United States Patent and Trademark Office as Registration Number 1,691,226 (the "Mark").

**WHEREAS**, MSA is desirous of acquiring said registered Mark.

### ASSIGNMENT

**NOW, THEREFORE**, for good and valuable consideration, receipt of which is hereby acknowledged, HP hereby assigns to MSA all right, title and interest which it may have in and to the Mark in the United States, together with the goodwill of the business symbolized by the Mark, and the above-identified registration thereof.

No other assignment or right to use any other mark owned by HP is conveyed. In particular, this Assignment does not grant any right to use the marks HP, HEWLETT PACKARD, the HP logo or to use any of these marks or "hp" as part of MSA's (or any company affiliated with MSA) domain name or URL.

All warranties, express or implied, statutory or otherwise, with respect to the Mark, including any warranty of non-infringement and implied warranties of merchantability or fitness for a particular purpose, are hereby expressly disclaimed.

### HEWLETT-PACKARD COMPANY

By: Charles N. Charnas  
Charles N. Charnas  
Vice President, Deputy General  
Counsel, and Assistant Secretary