

01-15-2003



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

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

102338515

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

1. Name of conveying party(ies):

International Business Machines Corporation,  
a New York

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

1-8-03

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

3. Nature of conveyance:

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

Execution Date: 12/20/2002

2. Name and address of receiving party(ies)

Name: Mariana HDD B.V.

Internal  
Address:

Street Address: Johan Huizingalaan 765 Amsterd

City: Netherlands State: Zip: 1066 XH

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State the Netherlands
- 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

OFFICE OF PUBLIC RECORDS  
FINANCE SECTION  
2003 JAN -8 PM 3:07

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

A. Trademark Application No.(s) 76/210253

B. Trademark Registration No.(s) 1839786; 2454684;  
2405889 and 2626253

Additional number(s) attached  Yes  No

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

Name: Rosemary S. Tarlton/Elayne Ricci

Internal Address: Morrison & Foerster LLP

Street Address: 425 Market Street

City: San Francisco State: CA Zip: 94105-2482

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41).....\$ 140.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

03-1952 (Ref. 28466/2)

DO NOT USE THIS SPACE

9. Signature.

Rosemary S. Tarlton

Name of Person Signing

Signature

January 7, 2003

Date

01/14/2003 LNUPELLER 00000140 031952 76210253

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

01 FC:8521 40.00 CH  
02 FC:8522 100.00 CH

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

TRADEMARK  
REEL: 002648 FRAME: 0842

Trademark Assignment

**WHEREAS**, International Business Machines Corporation, a New York corporation, with offices at New Orchard Road, Armonk, New York, 10504, and its Subsidiaries ("Assignor") owns certain trademarks and/or service marks, and applications and/or registrations for such marks, as listed in Exhibit A attached hereto and incorporated herein by this reference ("Marks");

**WHEREAS**, Mariana HDD B.V., a company organized under the laws of the Netherlands, having a place of business at Johan Huizingalaan 765, 1066VH Amsterdam, the Netherlands ("Assignee"), desires to acquire all of the right, title and interest of Assignor in, to and under the Marks, together with the goodwill of the business symbolized by the Marks;

**WHEREAS**, Assignee is a successor to those portions of the business of Assignor to which the Marks pertain; and

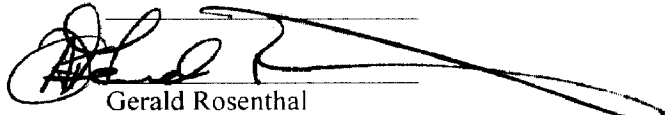
**WHEREAS**, Assignor and Assignee have entered into a certain First Trademark Assignment Agreement dated November 1, 2002 assigning, among other things, all right, title and interest in and to the Marks and in and to the registrations and/or applications for same from Assignor to Assignee ("First Trademark Assignment Agreement");

**NOW, THEREFORE**, for good and valuable consideration paid by Assignee to Assignor, the receipt and sufficiency of which hereby is acknowledged, Assignor hereby confirms the transfer, conveyance and assignment to Assignee, pursuant to the terms of the First Trademark Assignment Agreement, of all right, title and interest in and to the Marks, to the extent Assignor has such rights, together with (a) all federal registrations, applications for registration and renewals and extensions thereof; (b) all common law rights related to the Marks in the United States, and (c) the goodwill of the business symbolized by the Marks in the United States.

Nothing in this confirmatory trademark assignment shall alter the terms of the First Trademark Assignment Agreement.

Assignor hereby authorizes that all Marks to be issued on or resulting from any of the aforementioned applications be issued to the Assignee.

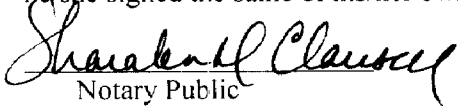
IN WITNESS WHEREOF, Assignor has caused this Trademark Assignment to be duly signed on its behalf.



Gerald Rosenthal  
Vice President, Intellectual Property & Licensing  
December 20, 2002

State of New York  
 ) S.S.  
County of Westchester

Before me this 27<sup>th</sup> day of December, 2002, personally appeared Gerald Rosenthal, to me known to be the person who is described in and who signed the foregoing Trademark Assignment and acknowledged to me that he/she signed the same of his/her own free will for the purpose therein expressed.

  
Notary Public

SHARALEN M. CLAUSELL  
A Notary Public, State of New York  
No. 01CL5022559  
Qualified in Westchester County  
My Commission Expires January 18, 2006

Exhibit A

Marks

| Mark                                  | Application Number | Registration Number |
|---------------------------------------|--------------------|---------------------|
| ADSTAR                                | 74/255584          | 1,839,786           |
| TRAVELSTAR                            | 75/814527          | 2,454,684           |
| ULTRASTAR                             | 75/797868          | 2,405,889           |
| MICRODRIVE                            | 75/858841          | 2,626,253           |
| HARD DRIVE FITNESS CLUB<br>and Design | 76/210,253         |                     |