

02-13-2003

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

Peregrine Remedy, Inc.

2-10-03

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

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

3. Nature of conveyance:

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

Execution Date: 01/08/2003

2. Name and address of receiving party(ies)

Name: BMC Software, Inc.

Internal

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

Street Address: 2101 CityWest Boulevard

City: Houston State: TX Zip: 77042

- 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) 76/059,958

B. Trademark Registration No.(s) 2072981; 2078372

2276944; 2041641; 1447196; 2096267

Additional number(s) attached  Yes  No

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

Name: W. Scott Brown

Internal Address: Vinson & Elkins LLP

2300 First City Tower

Street Address: 1001 Fannin Street

City: Houston State: TX Zip: 77002-6760

6. Total number of applications and registrations involved: \_\_\_\_\_

7

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

22-0365

02/12/2003 TDIAZI 00000099 220365 76059958  
01 FC:0521 40.00 CH  
02 FC:0522 150.00 CH

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9. Signature.

W. Scott Brown

Name of Person Signing

Signature

02/03/03

Date

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

7

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

TRADEMARK  
REEL: 002670 FRAME: 0401

# INTELLECTUAL PROPERTY RIGHTS ASSIGNMENT

THIS INTELLECTUAL PROPERTY RIGHTS ASSIGNMENT is made as of the date set forth below ("Effective Date") by Peregrine Remedy, Inc., a Delaware corporation ("Assignor") for the benefit of BMC Software, Inc., a Delaware corporation ("Assignee").

## RECITALS

WHEREAS, Assignee wishes to acquire Assignor's entire right, title and interest in and to the United States and foreign trademark and service marks, including the registrations and applications for registration therefor, set forth on Schedule 1 hereto ("Trademarks"), the copyrights to the works, including the registrations and applications for registration therefor, set forth on Schedule 2 hereto ("Copyrights"), the patents and patent applications set forth on Schedule 3 hereto, and all reissues, divisions, continuations, renewals, reexaminations, extensions and continuations-in-part thereof ("Patents"), and the domain name registrations set forth on Schedule 4 hereto ("Domain Names"),

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor makes the following assignment and agrees as follows:

1. Assignment. Assignor hereby assigns to Assignee all right, title and interest in and to the Trademarks, Patents, Copyrights, and Domain Names, including without limitation the right to sue for and collect damages for infringements of same, together with the goodwill represented by such Trademarks.
2. Further Assurances. Assignor agrees to execute and deliver all necessary or desirable documents, forms, or other materials to record the transfer effected by this assignment.

IN TESTIMONY WHEREOF, this Intellectual Property Rights Assignment is executed by the undersigned duly authorized officer this 8th day of January, 2003.

PEREGRINE REMEDY, INC.

By: Gary G. Greenfield

Printed Name: Gary G. Greenfield

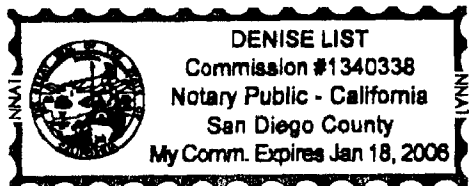
Title: Chief Executive Officer

STATE OF CALIFORNIA)

)SS.

COUNTY OF SANDIEGO)

On this 8 day of January 2003, there appeared before me  
GARY GREENFIELD personally known to me, who acknowledged that he signed the foregoing  
Assignment as his voluntary act and deed on behalf and with full authority of  
Perigore Systems, Inc.



*Denise List*  
Notary Public

**Schedule 1**





<b>United States of America</b>						
ACCELERATING YOUR ADVANTAGE	Allowed	9	05/30/00	76/059,958		
ACTION REQUEST SYSTEM	Registered	9	01/26/95	74/625,833	06/24/97	2,072,981
ARWEB	Registered	9	06/05/95	74/684,187	07/15/97	2,078,372
AR SYSTEM	Registered	9	03/09/95	74/644,074	09/14/99	2,276,944
FLASHBOARDS	Registered	9	06/08/95	74/686,315	03/04/97	2,041,641

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SV 400668 v2 (38533.0001)

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SV 400668 v2 (38533.0001)

**TRADEMARK**  
**REEL: 002670 FRAME: 0407**

REMEDY	Registered	9	05/07/86	73/597,291	07/14/87	1,447,196
REMEDY CORPORATION AND DESIGN ("R"S)	Registered	9	08/09/94	74/558,838	09/16/97	2,096,267
REMEDY						



**W. Scott Brown**  
Direct Dial (713) 758-1105  
Direct Fax (713) 615-5803  
sbrown@velaw.com

February 3, 2003

Commissioner of Patent and Trademark  
Box Assignments  
Washington, D.C. 20231

Re: Assignment of Peregrine Remedy, Inc.'s marks to BMC Software, Inc.  
Serial No. 76/059,958  
Registration Nos.: 2,072,981; 2,078,372; 2,276,944; 2,041,641; 1,447,196;  
2,096,267

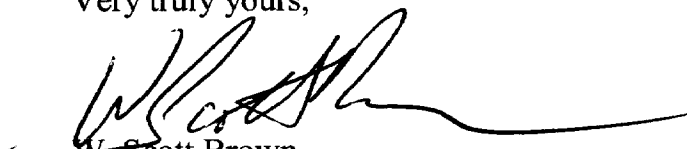
Dear Sir:

Enclosed for filing in the Patent and Trademark Office is the Notice of Recordation of Assignment assigning the above-referenced marks to BMC Software, Inc.

Please acknowledge receipt of the enclosed document by date stamping the enclosed postcard and returning it to this office.

Please charge any necessary fees to Deposit Account No. 22-0365.

Very truly yours,



W. Scott Brown

0803:4494

Enclosures

cc: Ms. Lora Swonke (w/encls.)

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