

03-12-2003

IEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



To the Honorable Commission

102387639

attached original documents or copy thereof.

1. Name of conveying party(ies): **3-7-03**  
**HOYA PHOTONICS, INC.**

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

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

2. Name and address of receiving party(ies):  
**Name: EXCEL CONTINUUM CORPORATION**  
**Address: 41 Research Way**  
**City: East Setauket State: New York Zip: 11733**

Individual(s) citizenship  
 Association  
 General Partnership  
 Limited Partnership  
 Corporation- 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

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other

Execution Date: October 11, 2002

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

A. Trademark Applications

B. Trademark Registrations

Mark

Reg. No.

**SEE ATTACHED SCHEDULE H**

Additional numbers attached?     Yes     No

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

Name: Darby & Darby P.C.  
Street Address: Post Office Box 5257  
City: New York State: New York Zip: 10150-5257

6. Total number of applications and registrations involved:

**4**

7. Total fee (37 CFR 3.41):.....\$115.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 04-0100

(Attach duplicate copy of this page if paying by deposit account)

4379/8G917

**EXPRESS MAIL CERTIFICATE**  
**3/7/03 84294036687 US**  
Date                      Label No.  
I hereby certify that on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by Express Mail Post Office to Addressee service.

(Typed or Printed Name of Person Signing Certificate) **DO NOT USE THIS SPACE**

Signature

*[Signature]*

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.

Chris Kolefas  
Name of Person Signing

*[Signature]*  
Signature

March 7, 2003  
Date

03/11/2003 BYRNE 00000131 1695210

01 FC:8521  
02 FC:8522

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

**3**

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

**SCHEDULE H**  
**U.S. Registered Trademarks**

REGISTRATION NO.	DATE REGISTERED	MARK
1,695,210	June 16, 1992	CONTINUUM
1,300,237	October 16, 1984	DATACHROM 5000
2,570,362	May 14, 2002	JAGUAR
2,565,632	April 30, 2002	PANTHER

TRADEMARK ASSIGNMENT

WHEREAS, **Hoya Photonics, Inc.**, a corporation organized and existing under and by virtue of the laws of California and having a place of business at 3150 Central Expressway, Santa Clara, California, hereinbelow called "Assignor", owns and has used in its business the trademarks and trademark registrations as show in the attached Schedules H and I:


**; and**

WHEREAS, **Excel Continuum Corporation**, a corporation organized and existing under and by virtue of the laws of Delaware, and having a place of business at 41 Research Way, East Setauket, New York 11733, hereinbelow called "Assignee", is desirous of acquiring the entire right, title and interest in and to the said trademarks and trademark registrations and in and to any registrations, renewals and extensions that may be granted thereon, together with the goodwill of the business connected therewith;

THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, said Assignor has sold, assigned, transferred and by these presents does hereby sell, assign, and transfer unto the said Assignee, its successors or assigns, the entire right, title and interest in and to the said trademarks and trademark registrations and in and to any registrations, renewals and extensions that may be granted thereon, together with the goodwill of the business connected therewith and any right to recover for past infringement thereof.

**HOYA PHOTONICS, INC.**

Dated: 10/11/02

By: 

Print Name: Gerald W. Bottero

Print Title: President