

04-09-2003



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

Tab settings

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

1. Name of conveying party(ies): Pacion Corporation 4.7.03
Individual(s) Association
General Partnership Limited Partnership
Corporation-State
Other Delaware
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
Name: Mitsubishi Electric & Electronics USA, Inc.
Internal
Address:
Street Address: 5665 Plaza Drive
City: Cypress State: CA Zip: 90630
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

3. Nature of conveyance:
Assignment Merger
Security Agreement Change of Name
Other
Execution Date:

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
B. Trademark Registration No.(s) 2672588
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Joan Albritton
Internal Address: Mitsubishi Electric & Electronics USA, Inc.
Street Address: 500 Corporate Woods Parkway
City: Vernon Hills State: IL Zip: 60061

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:

DO NOT USE THIS SPACE

9. Signature.
Joan D. Albritton Name of Person Signing
Signature
Date 1-1-2003
Total number of pages including cover sheet, attachments, and document: 3

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

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TRADEMARK REEL: 002707 FRAME: 0827

# TRADEMARK ASSIGNMENT AGREEMENT

**THIS TRADEMARK ASSIGNMENT AGREEMENT** (the "Agreement") is made and entered into as of this 1st day of October 2002 by Pacion Corporation, a Delaware corporation located and doing business at 3885 Crestwood Parkway, Ste 300, Duluth, GA 30096 ("Assignor) in favor of Mitsubishi Electric & Electronics USA, Inc., a Delaware corporation located and doing business at 5665 Plaza Drive, Cypress, CA 90630.

**WHEREAS**, Assignor has adopted and used the trademark described in Exhibit A attached hereto and made a part hereof, which trademark is pending registration in the United States Patent and Trademark Office;

**WHEREAS**, Assignee wishes to acquire Assignor's trademark described in Exhibit A hereto;

**NOW, THEREFORE**, in view of the premises and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

## **1. Assignment of Trademark.**

For good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Assignor hereby assigns to Assignee all rights, title and interest in and to the trademark described in Exhibit A hereto, including any foreign equivalents thereof, together with the goodwill of the business symbolized by such trademarks.

## **2. Successors and Assignees.**

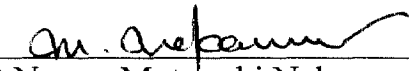
This Agreement shall be binding upon and inure to the benefit of Assignor and Assignee and their successors and assigns.

## **3. Governing Law.**

This Agreement shall be construed and enforced in accordance with and governed by the laws of the State of California.

**IN WITNESS WHEREOF**, Assignor has executed this Agreement on the date first above written.

**PACION CORPORATION**

By:   
Print Name: Motoyuki Nakamura  
Title: President & CEO  
Date: October 1<sup>st</sup>, 2002

**EXHIBIT A**

**LIST OF TRADEMARKS OWNED BY  
PACEON CORPORATION  
TO BE ASSIGNED TO  
MITSUBISHI ELECTRIC & ELECTRONICS USA, INC.**

<b>MARK</b>	<b>Serial #</b>	<b>Filing Date</b>
PACEON	75/869880	12/13/1999