# TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: TRADEMARK SECURITY AGREEMENT SUPPLEMENT

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
DTN ENERGY SERVICES, LLC		110/31/2003	LIMITED LIABILITY COMPANY: DELAWARE

#### **RECEIVING PARTY DATA**

Name:	WACHOVIA BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT AND COLLATERAL AGENT FOR THE SENIOR LENDERS	
Street Address:	ONE WACHOVIA CENTER, 301 S. COLLEGE STREET	
City:	CHARLOTTE	
State/Country:	NORTH CAROLINA	
Postal Code:	28288	
Entity Type:	NATIONAL ASSOCIATION: UNKNOWN	

### PROPERTY NUMBERS Total: 4

Property Type	Number	Word Mark
Serial Number:	76467702	DTN ENERGY
Serial Number:	76515173	DTNVIRTUALTERMINAL
Serial Number:	76515147	VIRTUAL TERMINAL
Registration Number:	1705952	DTNERGY

### **CORRESPONDENCE DATA**

Fax Number: (212)878-8375

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: (212) 878-8000

Email: trademark.group@cliffordchance.com

Correspondent Name: CLIFFORD CHANCE US LLP

Address Line 1: 200 PARK AVENUE

Address Line 4: NEW YORK, NEW YORK 10166

ATTORNEY DOCKET NUMBER:	8074/3
NAME OF SUBMITTER:	CHRISTINE BENTON
	TRADEMARK

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**Total Attachments: 3** 

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## TRADEMARK SECURITY AGREEMENT SUPPLEMENT

WHEREAS, DTN Energy Services, LLC a Delaware limited liability company (herein referred to as the "Grantor"), having an address at 9110 W. Dodge Road, Suite 200, Omaha, Nebraska, 68114, (1) has adopted, used and is using, or (2) has intended to use and filed an application indicating that intention, but has not yet filed an allegation of use under Section 1(c) or 1(d) of the Trademark Act, or (3) has filed an application based on an intention to use and has since used and has filed an allegation of use under Section 1(c) or 1(d) of the Trademark Act, the trademarks, trade names, trade styles and service marks listed on the annexed Schedule 1-A, which trademarks, trade names, trade styles and service marks are registered in the United States Patent and Trademark Office (the "Trademarks"); and

WHEREAS, Data Transmission Network Corporation, a Delaware corporation (the "Borrower"), DTN, LLC, a Delaware limited liability company ("DTN"), certain of the Borrower's and DTN's subsidiaries party thereto, each of the financial institutions from time to time party thereto (the "Senior Lenders") and Wachovia Bank, National Association, as administrative agent and collateral agent for the Senior Lenders have entered into a Credit and Guaranty Agreement (as amended, supplemented, restated or otherwise modified from time to time, the "Senior Credit Agreement") dated as of October 31, 2003.

WHEREAS, the Grantor has entered into a Senior Security and Pledge Agreement dated as of October 31, 2003 among the Borrower, DTN, each subsidiary of the Borrower or DTN party thereto and Wachovia Bank, National Association, as collateral agent (in such capacity, the "Senior Collateral Agent") for the Senior Secured Parties (as defined in the Senior Security Agreement) (as amended, supplemented, restated or otherwise modified from time to time, the "Senior Security Agreement") in favor of the Senior Collateral Agent; and

WHEREAS, pursuant to the Senior Security Agreement, the Grantor has granted to the Senior Collateral Agent a security interest in all right, title and interest of the Grantor in and to the Trademarks, together with all prints and labels on which said Trademarks have appeared or appear, designs and general intangibles of like nature, now existing or hereafter adopted or acquired, and the goodwill of the business symbolized by the Trademarks and the applications, registrations and recordings in the United States Patent and Trademark Office or in any similar office or agency of the United States of America, any State thereof, or any other country or any political subdivision thereof, all whether now or hereafter owned or licensable by Grantor, and all reissues, extensions or renewals thereof, all Trademark Licenses and all proceeds thereof, including any claims by the Grantor against third parties for infringement thereof (the "Collateral"), to secure the payment, performance and observance of the Obligations (as defined in the Senior Security Agreement);

**NOW, THEREFORE**, for good and valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby further confirm, and put on the public record, its grant to Senior Collateral Agent a security interest in the Collateral to secure the prompt payment, performance and observance of the Obligations.

The Grantor does hereby further acknowledge and affirm that the rights and remedies of the Senior Collateral Agent with respect to the grant of, security interest in and mortgage on the Collateral made hereby are more fully set forth in the Senior Security Agreement; the terms and provisions of which are hereby incorporated herein by reference as if fully set forth herein.

The Senior Collateral Agent's address is One Wachovia Center, 301 S. College Street, 5<sup>th</sup> Floor, NC-0537, Charlotte, North Carolina, 28288, attention Edward D. Ridenhour.

**IN WITNESS WHEREOF**, DTN Energy Services, LLC has duly executed or caused this Supplement to the Senior Security Agreement to be duly executed as of October 31, 2003.

NYB 1438146.3

DTN ENERGY SERVIÇES, LLC

By:

Name: Down WALSH

Title: CRe

# SCHEDULE 1-A TO THE TRADEMARK SECURITY AGREEMENT SUPPLEMENT

### **TRADEMARKS**

Trademark	Application or Registration Date	Application or Registration No.
DTN ENERGY	11/15/02	76/467,702
DTNVIRTUALTERMINAL	5/19/03	76/515,173
VIRTUAL TERMINAL	5/19/03	76/515,147
DTNERGY	8/4/92	1,705,952

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**RECORDED: 11/03/2003**