

Form PTO-1594

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

# RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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):

Photon Vision Systems, Inc. as successor-in-interest to Photon Vision Systems, LLC and Silicon Video, Inc.

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

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

## 3. Nature of conveyance:

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

Execution Date: 10/31/03

## 2. Name and address of receiving party(ies)

Name: Silicon Video, Inc.

Internal

Address: PO Box 4902

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

City: Ithaca State: NY Zip: 14852

- ☐ 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) \_\_\_\_\_

B. Trademark Registration No.(s) 2583034, 2403883

Additional number(s) attached ☐ Yes ☒ No

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

Name: Richard E. Honen

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

Street Address: Honen &amp; Wood, P.C.

126 State Street

City: Albany State: NY Zip: 12207

## 6. Total number of applications and registrations involved:

2

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.

Richard E. Honen

Name of Person Signing

Signature

11/3/03

Date

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

5

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

## AGREEMENT

This AGREEMENT (the "Agreement"), dated as of October 31, 2003, by and between PHOTON VISION SYSTEMS, INC. ("Photon"), a Delaware corporation as successor-in-interest to PHOTON VISION SYSTEMS, LLC and SILICON VIDEO, INC., a Delaware corporation ("Silicon").

## RECITALS

WHEREAS, pursuant to an Agreement and Plan of Merger executed by Photon Vision Systems, LLC, a New York limited liability company and Photon Vision Systems, Inc., and a Certificate of Merger of Photon Vision Systems, LLC into Photon Vision Systems, Inc. filed with the Secretary of State for the State of Delaware (evidence of such filing with the Secretary of State for the State of Delaware is attached as Exhibit A to this Agreement), Photon Vision Systems, LLC merged into Photon Vision Systems, Inc. on September 15, 2000 (the "Merger Date");

WHEREAS, in accordance with Section 259 of the Delaware General Corporation Law, as of the Merger Date, Photon Vision Systems, Inc. obtained all of the rights, privileges, powers and franchises of Photon Vision Systems, LLC including without limitation, the trademarks referenced on Exhibit B (the "Trademarks") to this Agreement;

WHEREAS, pursuant to that certain agreement (the "Assignment"), dated March 27, 2003, by and among Photon Vision Systems, Inc., Cayuga Venture Fund II, LLC and Silicon Video, Inc., Photon Vision Systems, Inc. assigned certain of its assets to Silicon Video, Inc., including without limitation all of its right, title and interest in its general intangibles (as such term is defined in the New York Uniform Commercial Code), which include the Trademarks;

WHEREAS, the records maintained by the United States Patent and Trademark Office reflect that Photon Vision Systems, LLC is the current owner of the Trademarks; and

WHEREAS, the parties hereto desire to have the transfer of the Trademarks to Silicon Video, Inc. memorialized in the records of the United States Patent and Trademark Office.

NOW, THEREFORE, in consideration of the premises hereof and the mutual promises contained herein and intending to be legally bound, the parties agree as follows:

1. Photon and Silicon hereby acknowledge and agree that, in accordance with the terms of the Assignment, Photon has assigned its right, title and interest in the Trademarks to Silicon.

2. For the purposes of filing the requisite documentation with the United States Patent and Trademark Office:


a. Photon represents and warrants as of the date of this Agreement that, subsequent to the Assignment, Photon has not assigned, sold or otherwise transferred any or all of the Trademarks or any interest therein to any third party.

b. Silicon represents and warrants as of the date of this Agreement that it is the owner of the Trademarks and has not assigned, sold or otherwise transferred any or all of the Trademarks, or any interest therein.


3. This agreement may be executed in any number of counterparts, each of which when executed and delivered (including via facsimile transmission) shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed and delivered as of the date first above written.

SILICON VIDEO, INC.

By:   
Name: DAVID M. AHLERS  
Title: DIRECTOR

PHOTON VISION SYSTEMS, INC.  
as successor-in-interest to  
PHOTON VISION SYSTEMS, LLC

By:   
Name: Jeffrey Edmon  
Title: Secretary PVSI, INC.

**EXHIBIT A**

**EVIDENCE OF FILING OF CERTIFICATE OF MERGER  
WITH THE SECRETARY OF STATE OF THE STATE OF DELAWARE**

Attached hereto.

**EXHIBIT B**  
**TRADEMARKS**

<b>Word Mark</b>	<b>Jurisdiction</b>	<b>Serial Number</b>	<b>Registration Number</b>
ACS	United States of America	75839458	2583034
PVS	United States of America	75791168	2403883