

Form PTO-1594
(Rev. 10/02)
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Tab settings

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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):

CIDCO Incorporated

- Individual(s)
- Association
- General Partnership
- Limited Partnership
- Corporation-State **Delaware**
- 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: **01/21/2004**

2. Name and address of receiving party(ies)

Name: **EarthLink, Inc.**

Internal Address: **Level A**

Street Address: **1375 Peachtree Street**

City: **Atlanta** State: **GA** Zip: **30309**

- 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)
76/167,127

	2,379,926
B. Trademark Registration No.(s)	2,247,656
2,538,011	2,450,303
2,529,605	2,435,983
	2,101,361
	1,786,101

Additional number(s) attached Yes No

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

Name: **Edward M. Prince**

Internal Address: **Alston & Bird LLP**
North Building, 10th Floor

Street Address: **601 Pennsylvania Avenue, N.W.**

City: **Washington** State: **DC** Zip: **20004**

6. Total number of applications and registrations involved: **9**

7. Total fee (37 CFR 3.41).....\$ **240.00**

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

16-0605, Order No.047162/262026

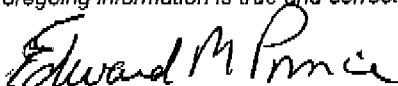
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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.

Edward M. Prince



February 6, 2004

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **4**

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

CH \$240.00 160605 76167127

ASSIGNMENT

WHEREAS, CIDCO Incorporated, a Delaware corporation, having its principal place of business at 220 Cochrane Circle, Morgan Hill, California 95037 (hereinafter referred to as "Assignor"), is the owner of the entire right, title and interest in and to the trademarks and service marks shown in Schedule A, together with the goodwill of the business associated therewith and the United States registrations and application therefor;

WHEREAS, EarthLink, Inc., a Delaware corporation, having its principal place of business at 1375 Peachtree Street, Level A, Atlanta, Georgia 30309 (hereinafter referred to as "Assignee"), acquired 80 percent of the stock of CIDCO in December 2001 and the remaining 20 percent of CIDCO stock in February 2002; and


WHEREAS, Assignee desires to obtain the entire right, title and interest in and to the marks shown in Schedule A, together with the goodwill of the business associated therewith and the United States registrations and application therefor so that said registrations and application will reside in the parent corporation.

NOW, THEREFORE, Assignor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby assigns and transfers to said Assignee, its successors, assigns and legal representatives the entire right, title and interest in and to the trademarks and service marks set forth in Schedule A, the goodwill of the business associated therewith and the United States registrations and application therefor, together with all rights of action

accrued and to accrue under and by virtue hereof, including the right to sue and recover for past infringement of said service marks.

IN WITNESS WHEREOF, Assignor has caused this instrument to be signed on the date indicated below.

CIDCO INCORPORATED

By: 
Name: BRENT COBB
Title: VICE PRESIDENT
Date: 1/21/04

SCHEDULE A

<u>Mark</u>	<u>Reg. No./Ser. No.</u>	<u>Issue Date/Filing Date</u>
MAILSTATION & Design	2,538,011	2/12/02
E-MAIL WITHOUT THE PC	2,529,605	1/15/02
MAILSTATION	2,450,303	5/8/01
COMMUNICATIONS AND INFORMATION DELIVERY COMPANY	2,435,983	3/13/01
Design	2,379,926	8/22/00
CIDCO & Design	2,247,656	5/25/99
CIDCO	2,101,361	9/30/97
OTV	1,786,101	8/3/93
MIVO	76/167,127	11/16/00