

JAN 14 2004

RECORDATION FORM COVER
TRADEMARKS ONLY

01-20-2004



102649589

Department of Commerce
Trademark Office
TELEMARK

TO: The Commissioner of Patents and Trademarks: Please record the original document(s) or copy(ies).

Submission Type

☐ New☐ Resubmission

Document ID #

☐ Correction of PTO Error

Reel #

Frame #

☒ Corrective Document

Reel #

2053

Frame #

0758

Conveyance Type

☐ Assignment☐ License☐ Security Agreement☐ Nunc Pro Tunc☐ Merger

Effective Date

☐ Change of Name

Month Day Year

☒ OtherFiling of signed Affidavit to correct the State of
incorporation of the assignor recorded at the indicated
reel/frame no. in accordance with TMEP Sec. 503.06(b)

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

NATIONAL DATA CORPORATION

Execution Date

Month Day Year

6/1/1999

Formerly

☐ Individual☐ General Partnership☐ Limited Partnership☒ Corporation☐ Association☐ Other☒ Citizenship/State of Incorporation/Organization

DELAWARE

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

NATIONAL DATA INTELLECTUAL PROPERTY CORP.

DBA/AKA/TA

Composed of

Address (line 1)

913 N. MARKET STREET, SUITE 821

Address (line 2)

Address (line 3)

WILMINGTON

DELAWARE

19801

City

State/Country

Zip Code

☐ Individual☐ General Partnership☐ Limited Partnership☒

Corporation

☐ Association☐

Other

☒

Citizenship/State of Incorporation/Organization

DELAWARE

If document to be recorded is an
assignment and the receiving party is not
domiciled in the United States, an
appointment of a domestic representative
should be attached. (Designation must be
a separate document from Assignment.)

01/16/2004 LNUELLER 00000165 2136062

01 FC:0521

40.00 OP

FOR OFFICE USE ONLY

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231TRADEMARK
REEL: 002898 FRAME: 0246

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

202-672-5300

Name

Norm J. Rich, Esq. (Client/Matter No. 017143/0152)

Address (line 1)

Foley & Lardner

Address (line 2)

3000 K Street, N.W.

Address (line 3)

Suite 500

Address (line 4)

Washington, D.C. 20007

Pages

Enter the total number of pages of Recordation Form Coversheet, Assignment
Document, including any attachments and Affidavit

#

5

Trademark Application Number(s) or Registration Number(s)

☐ Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property)

Trademark Application Number(s)

Registration Number(s)

2136862		

Number of Properties

Enter the total number of properties involved.

#

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

40.00

Method of Payment

Enclosed

☒

Deposit Account

☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

190741

Authorization to Charge additional fees:

Yes

☒

No

☐

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. Charges to deposit account are authorized, as indicated herein.

Norm J. Rich

Name of Person Signing



Signature

January 13, 2004

Date Signed

DECLARATION UNDER 37 C.F.R. SECTION 2.20

David E. Oles

Senior Attorney



1. I, ~~Patricia A. Wilson~~, am the ~~General Counsel~~ of NDCHHealth Corporation f/k/a National Data Intellectual Property Corp. and f/k/a National Data Corporation (consolidated herein as "NDCHHealth"). I certify that I am of legal age, and that I am authorized to offer this Declaration on behalf of NDCHHealth.
2. NDCHHealth is the owner of certain trademark applications and registrations as listed in Appendix A attached hereto.
3. National Data Corporation (a Delaware corporation), assigned all right, title and interest in and to certain trademarks to National Data Intellectual Property Corp. (a Delaware corporation). Trademark Assignment documents relating to the transfer of rights to Assignee, National Data Intellectual Property Corp., inadvertently refer to National Data Corporation, the Assignor, as a "Georgia" corporation, instead of Delaware. Similarly, maintenance documents filed with the Patent and Trademark Office inadvertently list National Data Corporation as a "Georgia" corporation, instead of Delaware. These mistakes were inadvertent and the Trademark Assignment and maintenance documents were executed in good faith by the correct parties. National Data Corporation was in fact, at all pertinent times, a "Delaware" corporation. National Data Intellectual Property Corporation was, in fact, at all pertinent times, a "Delaware" corporation.
4. Under a plan of reorganization, National Data Intellectual Property Corp. (a Delaware corporation) assigned all right, title and interest in and to certain trademarks back to National Data Corporation (a Delaware corporation). The transfer of rights was memorialized in a Trademark Assignment document in which, again, National Data Corporation, the Assignee, was mistakenly referred to as a "Georgia"

corporation" instead of a Delaware corporation. Similarly, maintenance documents filed with the Patent and Trademark Office inadvertently list National Data Corporation as a "Georgia" corporation. The mistake was inadvertent and the Trademark Assignment Document and maintenance documents were executed in good faith by the correct parties. National Data Corporation was in fact, at all pertinent times, a "Delaware" corporation. National Data Intellectual Property Corporation was in fact, at all pertinent times, a "Delaware" corporation.

5. In connection with a divestiture, National Data Corporation (a Delaware corporation) underwent a name change to NDCHealth Corporation (a Delaware corporation). The company's change of name was recorded in the records of the Assignment Branch of the Patent and Trademark Office. In these filings, owner, NDCHealth Corporation (a Delaware corporation) was mistakenly referred to as a "Georgia" corporation instead of a "Delaware" corporation. Similarly, trademark applications and maintenance documents filed with the Patent and Trademark Office inadvertently list NDCHealth Corporation as a "Georgia" corporation instead of Delaware. The mistake was inadvertent and the Trademark Recordation Coversheets, maintenance documents, and trademark applications were executed in good faith by the company. NDCHealth Corporation was in fact, at all pertinent times, a "Delaware" corporation.
6. NDCHealth Corporation (a Delaware corporation), assigned all right, title and interest in and to certain trademarks to NDCHealth Intellectual Property Corp. (a Delaware corporation). The assignment was submitted for recordation with the Assignment Branch of the Patent and Trademark Office. NDCHealth Corporation and NDCHealth Intellectual Property Corp. are, and have always been, "Delaware" corporations.
7. Now, having completed the business reorganization of NDCHealth, corporate representatives of the original assigning entities named in the

trademark assignments, applications, and maintenance and renewal documents are no longer available to execute new or corrective assignment documents or declarations.

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this registration, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.


Respectfully submitted,

NDCHealth Corporation

Date:

3/20/03

By:


Patricia A. Wilson
General Counsel
David E. Oles
Senior Attorney