

**TRADEMARK ASSIGNMENT**

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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	Submission to Correct Error in Previously Recorded Document		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Xpedite Systems, Inc.		02/08/2005	CORPORATION: DELAWARE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Xpedite Systems, Inc.		
<b>Street Address:</b>	3399 Peachtree Road		
<b>Internal Address:</b>	Suite 700		
<b>City:</b>	atlanta		
<b>State/Country:</b>	GEORGIA		
<b>Postal Code:</b>	30326		
<b>Entity Type:</b>	CORPORATION: DELAWARE		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
Registration Number:	1926842	XPEDITE	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(404)541-3172		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
<b>Phone:</b>	404-815-6500		
<b>Email:</b>	tadmin@kilpatrickstockton.com		
<b>Correspondent Name:</b>	William H. Brewster		
<b>Address Line 1:</b>	1100 Peachtree Street NE		
<b>Address Line 2:</b>	Suite 2800		
<b>Address Line 4:</b>	Atlanta, GEORGIA 30309		
<b>NAME OF SUBMITTER:</b>	Theodore H. Davis Jr.		
<b>Signature:</b>	/theodorehdavisjr/		
<b>Date:</b>	02/10/2005		

CH \$40.00 1926842

Total Attachments: 2  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE ASSIGNMENT SERVICES DIVISION

Reg. No.: 1,926,842  
Mark: XPEDITE  
Registrant: Xpedite Systems, Inc.  
3399 Peachtree Road, N.E.  
Atlanta, Georgia 30326

**DECLARATION OF L. SCOTT ASKINS UNDER T.M.E.P. § 503.06**

1. I am Secretary and Senior Vice President – Legal for Xpedite Systems, Inc. (“Xpedite”). I submit this declaration in support of Xpedite’s request under T.M.E.P. § 503.06(c) to correct an assignment improperly recorded against Xpedite’s Reg. No. 1,926,842 of the XPEDITE mark. As set forth below in greater detail, Xpedite is the proper owner of Reg. No. 1,926,842 and of the mark covered by it and Xpedite therefore should be identified as the record owner of the registration and the mark in the PTO’s files.

2. The information set forth in this declaration is based on my personal knowledge and on records maintained in the ordinary course of business by employees under my supervision.

3. On or about November 20, 1995, Xpedite granted a security interest in favor of Banque Indosuez, as agent for certain lenders (“Banque Indosuez”). This security interest granted to Banque Indosuez a first priority interest in and to Reg. No. 1,926,842 of the XPEDITE mark. It was subsequently recorded at Reel 1429, Frame 0765.

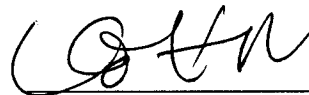
4. In conjunction with the execution of the November 20, 1995 security agreement, Xpedite also executed in escrow a trademark assignment, pursuant to which Banque Indosuez was to become the assignee of the XPEDITE mark in the Event of Default (as that

term is defined in the Credit Agreement between Xpedite and Banque Indosuez and further defined in the security agreement).

5. On December 6, 1995, Banque Indosuez erroneously filed with the Assignment Services Division the trademark assignment, which was recorded against Xpedite's Reg. No. 1,926,842 at Reel 1429, Frame 0793. A copy of this filing is attached as Exhibit A. The filing was erroneous because there was no Event of Default that would empower Banque Indosuez to make such a filing. Moreover, contrary to the filing of the assignment, Banque Indosuez had and has no ownership interest in the XPEDITE mark and Reg. No. 1,926,842.

6. Xpedite has made diligent good faith efforts to request that Banque Indosuez correct its erroneous filing. Unfortunately, those efforts have failed because Banque Indosuez apparently no longer is in business and Xpedite has been unable to identify any surviving entity with signatory authority for Banque Indosuez.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, declares that the facts set forth in this declaration are true; all statements made of her own knowledge are true; and that all statements made on information and belief are believed to be true.



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L. Scott Askins  
Secretary and  
Senior Vice President – Legal  
Xpedite Systems, Inc.

Date: 2/8/05