

08-19-2004

RE 8.16.04



102817061

To the Director of the U. S. Patent and Trademark Office. Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

James Malackowski

- Individual(s)
- General Partnership
- Corporation-State
- Other
- Association
- Limited Partnership

Citizenship (see guidelines) U.S.

Execution Date(s) July 15, 2003

Additional names of conveying parties attached?  Yes  No

3. Nature of conveyance: Document ID No.

102644809

- Assignment
- Security Agreement
- Other Correction to Assignment filed January 13, 2003 (Copy Attached)
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached?  Yes  No

Name: Ocean Tomo, LLC

Internal

Address: 27th Floor

Street Address: 20 North Wacker Drive

City: Chicago

State: Illinois

Country: United States Zip: 60610

- Association
- General Partnership
- Limited Partnership
- Corporation
- Other Company

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)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s) 78/238,687, 78/238,694, 78/240,254 and 78/240,260

B. Trademark Registration No.(s)

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

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

Name: Vedder, Price, Kaufman & Kammholz PC

Internal Address: Suite 2600

Street Address: 222 North LaSalle Street

City: Chicago

State: Illinois Zip: 60601

Phone Number: 312-609-7500

Fax Number: 312-609-5005

Email Address: mturgeon@vedderprice.com

6. Total number of applications and registrations involved:

4

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ \*

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

\* Previously Paid on 1/5/03

8. Payment Information:

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

9. Signature: Michael J. Turgeon  
Signature

August 16, 2004  
Date

Michael J. Turgeon  
Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 3

**ASSIGNMENT**

WHEREAS, James Malackowski, a citizen of Illinois, residing at 330 West Wellington, Chicago, Illinois 60657, has adopted and used in his business the following trademarks for which applications have been filed in the United States Patent and Trademark Office:


<b>MARK</b>	<b>SERIAL NUMBER</b>	<b>FILING DATE</b>
INTELLECTUAL CAPITAL EQUITY	78/238,687	04/17/2003
ICE	78/238,694	04/17/2003
INTELLECTUAL CAPITAL MERCHANT BANK	78/240,254	04/21/2003
INTELLECTUAL CAPITAL INVESTMENT BANK	78/240,260	04/21/2003

WHEREAS, Ocean Tomo, LLC, an Illinois Limited Liability Company, located and doing business at 20 North Wacker Drive, 27<sup>th</sup> Floor, Chicago, Illinois 60610, is desirous of acquiring all right, title and interest in and to said trademarks and said applications.

NOW, THEREFORE, in consideration of and for good and valuable consideration, the receipt of which is hereby acknowledged, James Malackowski does hereby sell, assign, transfer, and set over unto Ocean Tomo, LLC the entire right, title and interest in and to said trademarks and said applications, together with the good will of the business symbolized by said trademarks and said applications and in accordance with which said trademarks are used, together with all common law rights of James Malackowski, including the right to bring action and recover for past infringement, if any, of said trademarks.

IN TESTIMONY WHEREOF, James Malackowski has hereunto set his hand and affixed his seal.

James Malackowski



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Dated: 7-15-03



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 20, 2004

PTAS  
MICHAEL TURGEON, ESQ, VEDDER PRICE  
SUITE 2400  
222 NORTH LASALLE STREET  
CHICAGO, IL 60601



\*102644809A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 102644809

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. TO RECORD A DOCUMENT IN THE ASSIGNMENT DIVISION THE RECORDATION COVERSHEET MUST BE COMPLETE THE EXECUTION DATE FOR THE CONVEYING PARTY MUST BE ON THE RECORDATION COVER SHEET.

DOROTHY WILLIAMS, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS