

11/18/04

11-23-2004



IN THE UNITED

102887874

MARK OFFICE

In re application of	)	Post-Reg. Division
ECHO HEALTH, INC.	)	
	)	Int. Class: 036
Registration No.: 1,651,009	)	
	)	
Registered: July 16, 1991	)	
	)	
Mark: <b>SIMPLICITY</b>	)	
	)	
Attorney Docket No.:	)	Cleveland, OH 44114
MPSZ 5 00009	)	November 15, 2004

OPR/FINANCE  
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**ASSIGNMENT TRANSMITTAL LETTER**

Commissioner For Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir:

Please record the attached original document(s) or copy(ies) thereof.

1. Name of Party(ies) conveying an interest:

ECHO HEALTH, INC.  
24650 Center Ridge Road, Suite 160  
Westlake, OH 44145

2. Name of Party(ies) receiving an interest:

SIMPLICITY ALLIANCE, INC.  
24670 Center Ridge Road, Suite 160  
Westlake, OH 44145

3. Description of the interest conveyed:

- |                                     |  |                          |                |
|-------------------------------------|--|--------------------------|----------------|
| <input checked="" type="checkbox"/> | Assignment                               | <input type="checkbox"/> | Change of Name |
| <input type="checkbox"/>            | Security Agreement                       | <input type="checkbox"/> | Merger         |
| <input checked="" type="checkbox"/> | Other: <u>Assignment of Service Mark</u> |                          |                |

**CERTIFICATE OF MAILING**

I hereby certify that this **ASSIGNMENT TRANSMITTAL LETTER** and **ASSIGNMENT OF SERVICE MARK** in connection with U.S. Trademark Registration No. 1,651,009 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, MAIL STOP: ASSIGNMENTS, P.O. Box 1451, Alexandria, VA 22313-1451 on this 15<sup>th</sup> day of November, 2004.

By: Hilary M McNulty

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**TRADEMARK**  
**REEL: 003083 FRAME: 0397**

4. This document is being filed in connection with U.S. Service Mark Registration No. 1,651,009, Registered July 16, 1991.

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

Thomas E. Kocovsky, Jr.  
Reg. No. 28,383  
FAY, SHARPE, FAGAN  
MINNICH & McKEE, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114-2518

6. One service mark registration is involved.

7. Amount of fee enclosed or authorized to be charged:  
\$ 40.00

8. Deposit Account Number (attached duplicate copy of this form if paying by Deposit Account): 06-0308.

9. The Assignment shows it was signed on: November 3, 2004.

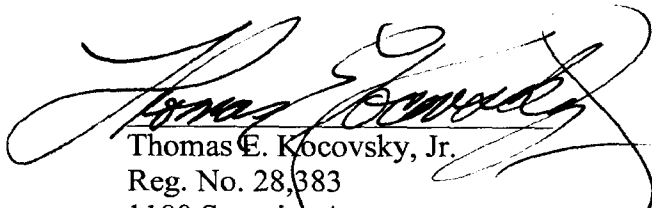
10. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Total Number of pages including cover sheet (2 pages); and document (2 pages); Total: 4 pages.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

15 Nov 2004  
Date

  
Thomas E. Kocovsky, Jr.  
Reg. No. 28,383  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2518  
(216) 861-5582

**ASSIGNMENT OF SERVICE MARK**

In consideration of \$1.00 (One Dollar) and other good and valuable consideration, receipt of which is hereby acknowledged, ECHO HEALTH, INC., an Ohio Corporation, having a principal place of business at 24650 Center Ridge Road, Suite 160, Westlake, OH 44145, does hereby convey, sell, transfer, assign, and deliver onto **SIMPLICITY ALLIANCE, INC.**, an Ohio Corporation, having a principal place of business at 24670 Center Ridge Road, Suite 160, Westlake, OH 44145, and its successors and assigns, forever, all of the right, title, and interest and claims of the Assignor in, to, relating to, and arising under the **SIMPLICITY** Service Mark Registration No. 1,651,009, issued July 16, 1991, and any and all renewals and extensions of such service mark under the laws now or hereinafter in force and effect in the United States and in any other country throughout the world, together with the goodwill of the businesses connected with the use of and symbolized by said service mark and the registration identified above, the same to be held and enjoyed by the Assignee and its successors and assigns, to their use and to the end of the term of the Service Mark, as fully and entirely as the same would have been held and enjoyed by the Assignor if this assignment of the Service Mark had not been made.

The Assignor further assigns any rights which it may have in the United States, its territories and possessions, or in other countries around the world to the Service Mark **SIMPLICITY**.

ECHO HEALTH, INC. further hereby grants **SIMPLICITY ALLIANCE, INC.** a non-exclusive, paid-up license to any and all know-how, trade secrets, and software which it now owns or under which it may be licensed with the right to sublicense, and any and all improvements thereto which it may come to own, or be licensed with the right to sublicense, any copyrights or patents which it may come to own, customer lists, and other intangibles which it may own or have the right to sublicense as are appropriate or necessary to carry out the services of FINANCIAL SERVICES FOR PHYSICIANS, INSURERS AND OTHER THIRD PARTY PAYORS, AND PATIENTS; NAMELY, SUBMISSION OF CLAIMS FORMS TO THIRD PARTY PAYORS, VERIFYING INSURANCE ELIGIBILITY, DISBURSING REIMBURSEMENTS FOR MEDICAL SERVICES, TRACKING OF CLAIMS TO AND REIMBURSEMENTS FROM THIRD PARTY PAYORS under the **SIMPLICITY** mark.

IN WITNESS WHEREOF, the undersigned has caused this Assignment of Service Mark to be executed and delivered at Westlake, Ohio, on this 3<sup>rd</sup> day of November, 2004.

  
William H. DAVIS, President

**ECHO HEALTH, INC.**

STATE OF Ohio )  
 ) : SS  
COUNTY OF *Cuyahoga* )

Personally appeared before me this day, William H. DAVIS, to me personally known, who acknowledged that he signed the foregoing instrument for the uses and purposes therein mentioned, and that the same is their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my seal, this 3rd day of November, 2004.

*William H. Davis*  
Notary Public

WILLIAM H. DAVIS, Notary Public  
for the State of Ohio  
My commission expires August 1, 2005.  
Section 14709 B, C.

(Seal)

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