

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	CORRECTIVE ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	Corrective Assignment to correct the chain of title should have been done by affidavit rather than by assignment per TMEP Section 503.06 previously recorded on Reel 003314 Frame 0516. Assignor(s) hereby confirms the assignment of the entire interest and the good will.

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Anne Marie Foster		05/17/2006	INDIVIDUAL: UNITED STATES

**RECEIVING PARTY DATA**

<b>Name:</b>	Able Planet, Incorporated
<b>Street Address:</b>	1746 Cole Boulevard
<b>Internal Address:</b>	Building 21, Suite 295
<b>City:</b>	Lakewood
<b>State/Country:</b>	COLORADO
<b>Postal Code:</b>	80401
<b>Entity Type:</b>	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 2**

Property Type	Number	Word Mark
Serial Number:	78699980	ABLE PLANET
Serial Number:	78699988	HEAR THE DIFFERENCE

**CORRESPONDENCE DATA**

Fax Number: (913)451-0875  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 913-451-5100  
 Email: ipdocketing@lathrogpage.com  
 Correspondent Name: Kimberly A. Wingate  
 Address Line 1: 10851 Mastin Boulevard  
 Address Line 2: Suite 1000, Building 82  
 Address Line 4: Overland Park, KANSAS 66210-1669

<b>ATTORNEY DOCKET NUMBER:</b>	445430 445433 SPLIT
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CH \$65.00 78699980

NAME OF SUBMITTER:	Kimberly A. Wingate
Signature:	/Kimberly A. Wingate/
Date:	05/09/2007
<b>Total Attachments: 4</b> source=ownership affidavit 445431 and 445433#page1.tif source=ownership affidavit 445431 and 445433#page2.tif source=COVER SHEET_20070509140117#page1.tif source=COVER SHEET_20070509140117#page2.tif	

MARK: **ABLE PLANET**  
Serial No.: 78/699,980  
Attorney Docket No.: 445433

MARK: **HEAR THE DIFFERENCE**  
Serial No.: 78/699,988  
Attorney Docket No.: 445431

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Able Planet, Incorporated      Mark: **ABLE PLANET**  
Serial No.: 78/699,980      Law Office: 115  
Filed: August 24, 2005      Examiner: Alicia P. Collins

Applicant(s): Able Planet, Incorporated      Mark: **HEAR THE DIFFERENCE**  
Serial No.: 78/7699,988      Law Office: 115  
Filed: August 24, 2005      Examiner: John S. Yard

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

**DECLARATION FOR PURPOSES OF CORRECTING A  
CHAIN OF TITLE UNDER TMEP § 503.06**

I, Kevin R. Semcken declare and state as follows:

1. I am the President and Chief Executive Officer of Able Planet, Incorporated, the Applicant in the following applications:

<b>MARK</b>	<b>SERIAL NO.</b>	<b>FILING DATE</b>	<b>BASIS</b>
ABLE PLANET	78/699,980	August 24, 2005	ITU,
HEAR THE DIFFERENCE	78/699,988	August 24, 2005	ITU,

which applications are pending with the United States Patent and Trademark Office ("USPTO"). I have held my current positions with the Applicant since March 1, 2005.

2. In my capacity as President and Chief Executive Officer for the Applicant, I have personal knowledge of its day-to-day business, including the intellectual property owned by Applicant and applications to register the Applicant's rights in the same.

3. Anne Marie Foster served as Secretary and Treasurer of Able Planet, Incorporated from July 20, 2005 through February 15, 2006.

4. In her capacity as an officer of the Applicant, she was delegated the responsibility of registering Applicant's trademarks, including those marks that Applicant had an intent to use in commerce, namely, ABLE PLANET and HEAR THE DIFFERENCE.

MARK: **ABLE PLANET**  
Serial No.: 78/699,980  
Attorney Docket No.: 445433

MARK: **HEAR THE DIFFERENCE**  
Serial No.: 78/699,988  
Attorney Docket No.: 445431

5. Anne Marie Foster used the electronic USPTO application form to prepare and file each of the above referenced applications. Anne Marie Foster erroneously prepared and filed each of the above referenced applications by listing her name in the block for "owner" rather than the company name of the Applicant. However, Anne Marie Foster made her intent to file these applications for the benefit of the Applicant clear by her correct identification of the "owner" of all such applications as a Delaware corporation and listed the Applicant's then current address.

6. Glenn L. Lenzen, Jr., then counsel for the Applicant, prepared and filed an unnecessary assignment of these applications from Anne Marie Foster to Able Planet, Inc. [sic]. That assignment was signed May 16, 2006, by Anne Marie Foster, and was recorded with the Assignments Branch of the USPTO on May 23, 2006, at Reel 3314, Frame 0516. A copy of that Notice of Recordation was subsequently submitted for inclusion in the prosecution file of each application.

7. Applicant now seeks to correct the assignment records of the USPTO with this Affidavit under TMEP §503.6, and respectfully requests:

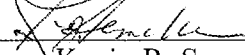
a. That this Affidavit be recorded against each listed application in the Assignments Branch of the United States Patent and Trademark Office; and

b. That the above referenced Affidavit, and the resulting Notice of Recordation from the Assignments Branch of the United States Patent and Trademark Office, be subsequently filed in the corresponding prosecution file for each application in the United States Patent and Trademark Office, correcting the ownership of each respective application to:

Able Planet, Incorporated  
a Delaware corporation  
Building 21, Suite 295  
1746 Cole Boulevard  
Lakewood, Colorado 80401

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this Declaration was executed this 7<sup>th</sup> day of May, 2007, in Lakewood, Colorado.

ABLE PLANET, INCORPORATED

By   
Name: Kevin R. Semcken  
Title: President, Chief Executive Officer

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

**05/23/2006**  
**900049553**

<b>SUBMISSION TYPE:</b>		NEW ASSIGNMENT	
<b>NATURE OF CONVEYANCE:</b>		ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL	
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Anne Marie Foster		05/17/2006	INDIVIDUAL: UNITED STATES
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Able Planet, Inc.		
<b>Street Address:</b>	1767-A Denver West Boulevard		
<b>City:</b>	Golden		
<b>State/Country:</b>	COLORADO		
<b>Postal Code:</b>	80401		
<b>Entity Type:</b>	CORPORATION: DELAWARE		
<b>PROPERTY NUMBERS Total: 3</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	78556233	LINX TECHNOLOGY	
<b>Serial Number:</b>	78699980	ABLE PLANET	
<b>Serial Number:</b>	78699988	HEAR THE DIFFERENCE	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(720)931-3001		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
<b>Phone:</b>	720-931-3017		
<b>Email:</b>	lpdocketing@lathropgage.com		
<b>Correspondent Name:</b>	Glenn H. Lenzen, Jr.		
<b>Address Line 1:</b>	4845 Pearl East Circle, Suite 300		
<b>Address Line 4:</b>	Boulder, COLORADO 80301		
<b>ATTORNEY DOCKET NUMBER:</b>	424438		
<b>NAME OF SUBMITTER:</b>	Glenn H. Lenzen, Jr.		
<b>Signature:</b>	/glenn h. lenzen, jr./		

CH \$90.00 78556233

Date:

05/22/2006

Total Attachments: 2

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