

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	06/01/2005		
CONVEYING PARTY DATA			
	Name	Formerly	Execution Date
	Entity Type		
First Choice Power, L.P.			06/01/2005
	LIMITED PARTNERSHIP: TEXAS		
RECEIVING PARTY DATA			
Name:	FCP Enterprises, Inc.		
Street Address:	225 East John Carpenter Freeway, Suite 1600		
City:	Irving		
State/Country:	TEXAS		
Postal Code:	75062		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 2			
	Property Type	Number	Word Mark
Registration Number:	2729817	FIRST CHOICE POWER	
Registration Number:	3334508	FIRST CHOICE POWER SIMPLY BETTER.	
CORRESPONDENCE DATA			
Fax Number:	(214)661-6609		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	214-953-5902		
Email:	cbutzeripdocket@jw.com		
Correspondent Name:	Carl C. Butzer		
Address Line 1:	901 Main Street, Suite 6000		
Address Line 4:	Dallas, TEXAS 75202		
ATTORNEY DOCKET NUMBER:	135343.1		
NAME OF SUBMITTER:	Carl C. Butzer		

CH \$65.00 2729817

900144147

**TRADEMARK
 REEL: 004070 FRAME: 0052**

Signature:	/Carl C. Butzer/
Date:	09/28/2009
Total Attachments: 2 source=FCP Assign Marks to FCP Enterprises#page1.tif source=FCP Assign Marks to FCP Enterprises#page2.tif	

TRADEMARK ASSIGNMENT

WHEREAS, First Choice Power, L.P., a Texas limited partnership, located and doing business at 225 East John Carpenter Freeway, Suite 1600, Irving, Texas 75062 (the "Assignor") has adopted, owns and is using the marks FIRST CHOICE POWER and FIRST CHOICE POWER SIMPLY BETTER (the "Marks") for, *inter alia*, public utility services, and consulting services in the fields of energy utilization and conservation;

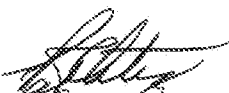
WHEREAS, Assignor owns federal registrations for the Marks on the Principal Register of the United States Patent & Trademark Office in connection with the goods and/or services identified therein, as listed on Schedule A hereto (the "Registrations"); and

WHEREAS, FCP Enterprises, Inc., a Delaware corporation, located and doing business at 225 East John Carpenter Freeway, Suite 1600, Irving, Texas 75062 ("Assignee") desires to acquire the Marks and the Registrations;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, transfers, assigns and conveys to Assignee all right, title and interest in and to the Marks, including all of its common law rights, together with the goodwill of the business appertaining to and/or symbolized by the Marks, and the Registrations, *nunc pro tunc*, effective as of June 1, 2005.

FIRST CHOICE POWER, L.P.

By: First Choice Power GP, LLC,
Its general partner

By: 
Name: PATRICK T. ORTIZ
Title: SUP. GENERAL COUNSEL + SECY

Dated effective as of: June 1, 2005

SCHEDULE A

MARK

REG. NO.

FIRST CHOICE POWER

2,729,817

FIRST CHOICE POWER SIMPLY BETTER

3,334,508

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