

USPTO

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TO:CARL C. BUTZER COMPANY:901 MAIN STREET, SUITE 6000

10-30-2009

Electronic Version v1.1  
 Stylesheet Version v1.1



103579235

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT
NATURE OF CONVEYANCE:	Corrective Assignment to correct the the effective date of the assignment from 06/01/2005 to 10/27/2005 previously recorded on Reel 004070 Frame 0052. Assignor(s) hereby confirms the the correction of the effective date.

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
First Choice Power, L.P.		10/27/2005	LIMITED PARTNERSHIP: TEXAS

RECEIVING PARTY DATA

Name:	FCP Enterprises, Inc.
Street Address:	225 East John Carpenter Freeway
Internal Address:	Suite 1500
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  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 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:	128317.1
NAME OF SUBMITTER:	Carl C. Butzer

CH \$65.00 2729817

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TO: CARL C. BUTZER COMPANY: 901 MAIN STREET, SUITE 6000

Signature:	/Carl C. Butzer/
Date:	10/28/2009
Total Attachments: 4 source=Corrective FCPAssignment#page1.tif source=Corrective FCPAssignment#page2.tif source=FCPRec#page1.tif source=FCPRec#page2.tif	

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TO: CARL C. BUTZER COMPANY: 901 MAIN STREET, SUITE 6000

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.109/28/2009  
900144147

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	08/01/2005

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
First Choice Power, L.P.		08/01/2005	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  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 214-953-5902  
 Email: cbutzer@docket@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

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TO: CARL C. BUTZER COMPANY: 901 MAIN STREET, SUITE 6000

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	

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TO: CARL C. BUTZER COMPANY: 901 MAIN STREET, SUITE 6000

**TRADEMARK ASSIGNMENT**

WHEREAS, First Choice Power, L.P., a Texas limited partnership, located and doing business at 225 East John Carpenter Freeway, Suite 1500, 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 1500, 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 October 27, 2005.

FIRST CHOICE POWER, L.P.

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

Name: PATRICK F. ORTIZ

Title: SVP, GENERAL COUNSEL + SEC Y

Dated effective as of: October 27, 2005

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TO: CARL C. BUTZER COMPANY: 901 MAIN STREET, SUITE 6000

SCHEDULE A

MARK

REG. NO.

FIRST CHOICE POWER  
FIRST CHOICE POWER SIMPLY BETTER

2,729,817  
3,334,508

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