

TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	NUNC PRO TUNC ASSIGNMENT
<b>EFFECTIVE DATE:</b>	05/01/2011

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Ventyx Energy, LLC		05/01/2011	CORPORATION: GEORGIA

**RECEIVING PARTY DATA**

<b>Name:</b>	Ventyx Energy Software Inc.
<b>Street Address:</b>	3301 Windy Ridge Parkway
<b>Internal Address:</b>	Suite 200
<b>City:</b>	Atlanta
<b>State/Country:</b>	GEORGIA
<b>Postal Code:</b>	30339
<b>Entity Type:</b>	CORPORATION: GEORGIA

**PROPERTY NUMBERS Total: 14**

Property Type	Number	Word Mark
Registration Number:	2407006	IMPACT
Registration Number:	1804165	MAINPLAN
Registration Number:	2407007	MARKETPOWER
Registration Number:	3057802	MONACO
Registration Number:	2538595	NEWENERGY STRATEGIST
Registration Number:	2291212	NOSTRADAMUS
Registration Number:	1054261	PROMOD III
Registration Number:	1943648	PROMOD IV
Registration Number:	1807127	PROSCREEN II
Registration Number:	2553434	RETAILOFFICE
Registration Number:	1808865	SENDOUT
Registration Number:	3128854	VECTORGAS

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Registration Number:	3306015	MARKETVISION
Registration Number:	3766577	NMARKET

**CORRESPONDENCE DATA**

Fax Number: 4405857578  
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ATTORNEY DOCKET NUMBER:	VENTYX
NAME OF SUBMITTER:	Debra Rietze
Signature:	/Debra Rietze/
Date:	06/26/2012

Total Attachments: 2  
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## NUNC PRO TUNC TRADEMARK ASSIGNMENT AGREEMENT

This Trademark Assignment Agreement (this "**Assignment Agreement**") is between Ventyx Energy, LLC, a Delaware corporation, having its principal place of business at 3301 Windy Ridge Parkway, Suite 200, Atlanta, Georgia 30339 ("**Assignor**") and Ventyx Energy Software Inc., a Delaware corporation having its principal place of business at 3301 Windy Ridge Parkway, Suite 200, Atlanta, Georgia 30339 ("**Assignee**").

### PREAMBLE

Assignor is the owner of the U.S. Registered Trademarks listed on Exhibit A attached hereto (the "**Trademarks**"). For good and valuable consideration, Assignor agreed to assign to Assignee, and Assignee agreed to assume all of the Assignor's rights, title and interest in and to the Trademarks. Therefore, the parties agree as follows with the intent to be legally bound:


### ASSIGNMENT AGREEMENT

Assignor, *nunc pro tunc* as of May 1, 2011, hereby sells, assigns and transfers all of its right, title and interest in and to the Trademarks, and all registrations associated therewith, to Assignee, together with the goodwill of the business associated with each Trademark and with the right to recover and have damages and profits for past infringement of each Trademark.

Assignor hereby expressly agrees that the Assignee shall have the right to individually perform all acts with the U.S. Patent & Trademark Office necessary to record the transfer of the Trademarks to Assignee.

IN WITNESS WHEREOF, the Assignor has caused this Assignment Agreement to be executed by its duly authorized corporate officer.

Ventyx Energy, LLC

By: 

Name: Adam Vexler

Title: Executive Vice President, General Counsel and Secretary

**EXHIBIT A**  
**TRADEMARKS**

U.S. Registered Trademarks.

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date (Month/Day/Year)</u>
IMPACT	2407006	November 21, 2000
MAINPLAN	1804165	November 16, 1993
MARKETPOWER	2407007	November 21, 2000
MONACO	3057802	February 7, 2006
NEWENERGY STRATEGIST (& design)	2538595	February 12, 2002
NOSTRADAMUS	2291212	November 9, 1999
PROMOD III	1054261	December 14, 1976
PROMOD IV	1943648	December 26, 1995
PROSCREEN II	1807127	November 30, 1993
RETAIL OFFICE	2553434	March 26, 2002
SENDOUT	1808865	December 7, 1993
VECTORGAS	3128854	August 15, 2006
MARKETVISION	3306015	October 9, 2007
nMarket	3766577	March 30, 2010