

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Fuzebox Software Corporation	FORMERLY Callwave, Inc.	07/06/2012	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	Callwave Telecom, Inc.		
Street Address:	136 W. Canon Perdido St., Suite A		
City:	Santa Barbara		
State/Country:	CALIFORNIA		
Postal Code:	93101		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 9			
Property Type	Number	Word Mark	
Registration Number:	3290601	WEBMESSENGER	
Registration Number:	3030934	MOBILE CALL TRANSFER	
Registration Number:	3105365	MOBILE CALL SCREENING	
Registration Number:	3028841	IT'S WHAT'S NEXT FOR YOUR CELL PHONE	
Registration Number:	3293351		
Serial Number:	77086126	THINK OUTSIDE THE PHONE	
Registration Number:	2969603		
Registration Number:	2486589	CALLWAVE	
Registration Number:	2722738	INTERNET ANSWERING MACHINE	
CORRESPONDENCE DATA			
Fax Number:	4156932222		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	415-693-2000		
trademarks@cooley.com, ahiscott@cooley.com,			

Email: mgutknecht@cooley.com
Correspondent Name: Ariana Gallisa Hiscott
Address Line 1: 777 6th street, Suite 1100
Address Line 4: Washington, DISTRICT OF COLUMBIA 20001

ATTORNEY DOCKET NUMBER:	317223-101
NAME OF SUBMITTER:	Ariana Gallisa Hiscott
Signature:	/Ariana G. Hiscott/
Date:	07/20/2012

Total Attachments: 7
source=Fuzebox Software to Callwave Telecom#page1.tif
source=Fuzebox Software to Callwave Telecom#page2.tif
source=Fuzebox Software to Callwave Telecom#page3.tif
source=Fuzebox Software to Callwave Telecom#page4.tif
source=Fuzebox Software to Callwave Telecom#page5.tif
source=Fuzebox Software to Callwave Telecom#page6.tif
source=Fuzebox Software to Callwave Telecom#page7.tif

TRADEMARK ASSIGNMENT

This Trademark Assignment (“*Agreement*”) is entered into as of July 6, 2012 (the “*Effective Date*”) by and between FUZEBOX SOFTWARE CORPORATION (formerly known as Callwave, Inc.) (“*Assignor*”), a Delaware corporation with a principal address of 136 W. Canon Perdido St., Suite A, Santa Barbara, CA 93101 and CALLWAVE TELECOM, INC. (“*Assignee*”), a Delaware corporation with a principal address of 136 W. Canon Perdido St., Suite A, Santa Barbara, CA 93101 (collectively referred to herein as the “*Parties*”).

RECITALS

WHEREAS, Assignor has adopted, used, is using and/or intends to use, and is the owner of certain registered and unregistered trademarks in the United States, as shown in **SCHEDULE A** (the “*Trademarks*”);

WHEREAS, Assignor had a bona fide intent to use the Trademarks in U.S. commerce at the time of filing of the applications with the U.S. Patent and Trademark Office and has maintained a bona fide intent to use the Trademarks since that time for the corresponding goods and services;

WHEREAS, Assignee is the successor to the business of the Assignor to which the Trademarks pertain;

WHEREAS, Assignor intends to transfer and assign to the Assignee all right, title, and interest to the Trademark and the Applications; and

WHEREAS, Assignee, as the successor to the business of the Assignor to which the Trademarks pertain, desires to acquire from Assignor all right, title and interest in the Trademarks, together with that part of the goodwill of Assignor’s ongoing and existing business connected with the use of and symbolized by the Trademarks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which the Parties hereby acknowledge, the Parties hereby agree as follows:

1. Assignor hereby irrevocably assigns, transfers, and conveys to Assignee as the successor to the business of Assignor as set forth above, all right, title and interest in and to the Trademarks shown on Schedule A below, the applications and registrations therefor, and the goodwill symbolized by and associated with the use of same, together with all rights and causes of action accrued, accruing and to accrue under and by virtue hereof, including the right to sue and recover for past infringement, and to receive all damages, payments and costs and fees associated therewith.
2. Assignor makes no warranties, express or implied, to any person or entity with respect to the Trademarks or any related materials provided hereunder, all of which are provided “as is,” and disclaims all implied warranties, including without limitation warranties of validity, title and noninfringement.
3. This Agreement shall constitute the complete agreement of the Parties with respect to the subject matter contained herein and supersedes and replaces all prior negotiations, whether written or oral. This Agreement may not be modified or amended except by a writing signed by both Parties.
4. This Agreement shall be governed by the laws of the State of California.

5. The Parties each expressly acknowledge that it is duly authorized to execute and perform this Agreement.
6. This Agreement may be executed in two counterparts, each of which shall be deemed an original and both of which together shall constitute one agreement.

[Signature Page Follows]

The Parties hereto have caused this Trademark Assignment Agreement to be executed as of the date first above written.

ASSIGNOR:

FUZEBOX SOFTWARE CORPORATION
(formerly known as Callwave, Inc.)

DocuSigned by:
By: Jeffrey Cavins
Name: Jeffrey M. Cavins
Title: Chief Executive Officer


COMPANY:

CALLWAVE TELECOM, INC.

DocuSigned by:
By: Jeffrey Cavins
Name: Jeffrey M. Cavins
Title: President and Chief Executive Officer

Schedule A

Mark	U.S. Serial No.	U.S. Reg. No.	Register	Goods/Services
WEBMESSENGER	78832949	3290601	PRINCIPAL-2(F)	Class 09: Computer application software for mobile phones. Class 38: Electronic transmission of messages and data; Electronic, electric, and digital transmission of voice, data, images, signals, and messages; Instant messaging services; Text and numeric wireless digital messaging services; Wireless digital messaging services.
MOBILE CALL TRANSFER	78585894	3030934	SUPPLEMENTAL “CALL TRANSFER” disclaimed	Class 38: Mobile telephone telecommunications services, namely, providing a means for transferring calls from a wireless communications device to a telephone line; providing a means for obtaining information about an incoming telephone call; electronic voice messaging, namely, the forwarding, screening, recording and subsequent transmission of voice and text messages by cellular phone, wireless communications devices, telephone and the Internet; electronic, electric, and digital transmission of voice, data, signals, and messages.
MOBILE CALL SCREENING	78585887	3105365	SUPPLEMENTAL “CALL SCREENING” disclaimed	Class 38: Mobile telephone telecommunications services that provide information about an incoming telephone call; electronic voice messaging, namely, the forwarding, screening, recording and subsequent transmission of voice and text messages by cellular phone, wireless communications devices, telephone and the internet; electronic, electric, and

				digital transmission of voice, data, signals, and messages
IT'S WHAT'S NEXT FOR YOUR CELL PHONE	78530092	3028841	PRINCIPAL	Class 38: local and long distance telephone services to individuals, homes and offices via global computer networks, featuring enhanced information about real-time voice communications, faxes and other electronic messages; electronic transmission of messages and data; telecommunications services, namely, providing caller identification information about an incoming telephone call; electronic voice messaging, namely, the forwarding, screening, recording and subsequent transmission of voice and text messages by telephone, cellular phone, wireless communications devices, and the internet; electronic, electric, and digital transmission of voice, data, signals, and messages.
	77086139	3293351	PRINCIPAL	Class 38: Telecommunications services, namely, switched, wireline and wireless telephone network services and data network services to individuals, homes and offices, featuring enhanced information about real-time voice communications, voice messages, faxes, and other electronic messages; Telecommunications services, namely, call management and call routing services; Electronic transmission of messages and data; Electronic messaging, namely, the forwarding, screening, recording and transmission of voice, data, and text messages by telephone,

				cellular phone, wireless communications devices, and the internet; Electronic, electric, and digital transmission of voice, data, images, documents, signals, and messages.
THINK OUTSIDE THE PHONE	77086126	N/A	PRINCIPAL	Class 38: Telecommunications services, namely, switched, wireline and wireless telephone network services and data network services to individuals, homes and offices, featuring enhanced information about real-time voice communications, voice messages, faxes, and other electronic messages; Telecommunications services, namely, call management and call routing services; Electronic transmission of messages and data; Electronic messaging, namely, the forwarding, screening, recording and transmission of voice, data, and text messages by telephone, cellular phone, wireless communications devices, and the internet; Electronic, electric, and digital transmission of voice, data, images, documents, signals, and messages.
The mark consists of a sound mark comprising a music motive in the key of c major in 2/4 time. The motive consists of 5 pitches played on a keyboard instrument, in treble clef. The first beat is comprised of 4 sixteenth notes consisting of the pitches E (the note a major third above middle C), ascending up an interval of one half step to F, descending back down	76594560	2969603	PRINCIPAL	Class 38: local and long distance telephone services via global computer networks; telephone communication services.

<p>one half step to the original starting pitch E and skipping down a major third to middle C, played in a legato fashion in a crescendo from a mezzo-piano towards a mezzo-forte over the course of the four pitches. Beat two concludes the motive with the pitch G (the pitch a perfect fourth below Middle C) being struck with an accent at a dynamic level of forte. Although the note is struck and held at the value of an eighth note, the reverberation from the keyboard extends the pitch to a value of a full quarter note. This concludes the motive.</p>				
<p>CALLWAVE</p>	<p>75620793</p>	<p>2486589</p>	<p>PRINCIPAL</p>	<p>Class 38: Local and long distance telephones services to individuals, homes and offices via global networks, featuring enhanced information about real-time communications, faxes and other electronic messages</p>
<p>INTERNET ANSWERING MACHINE</p>	<p>75725354</p>	<p>2722738</p>	<p>SUPPLEMENTAL</p>	<p>Class 38: telecommunications services, namely, providing a means for obtaining information about an incoming telephone call while a computer user is online.</p>

1271755 v3/SF