

09-29-1998

COVER SHEET  
ONLY

TORNEY DOCKET NO. 66049/53214



To the Honorable Commission

000900210

attached original documents or copy thereof.

MKD 9/25/98

1. Name of conveying party(ies).

Neon Information Systems

2. Name and address of receiving party(ies) EN 12: 13

Name: Neon Systems, Inc.

Internal Address: CPV/FINANCE

Street Address: 14141 Southwest Freeway, Suite 6200

City Sugar Land State Texas ZIP 77478

- Individual(s)
- General Partnership
- Corporation-State
- Other
- Association
- Limited Partnership

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other

Additional name(s) of conveying party(ies) attached?  Yes  No

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designation must be a separate document from Assignment).

Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other:
- Merger
- Change of Name

Execution Date: September 8, 1998

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark registration No.(s)

1,376,394

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael R. Schulman

Internal Address:

Street Address: Locke Purnell Rain Harrell  
2200 Ross Avenue, Suite 2200

City Dallas State Texas ZIP 75201

6. Total number of applications and registrations involved:  -1-

7. Total fee (37 CFR 3.41) \$ 40

- Enclosed
- Authorized to be charged to deposit account.

8. Deposit account number: 12-1781

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael R. Schulman

Name of Person Signing

Signature

September 24, 1998

Date

9/28/1998 DCDATES 00000126 1376394

Total number of pages including cover sheet, attachments, and document:

-6-

1 FC:481

40.00 DP

**ASSIGNMENT**

WHEREAS, Neon Information Systems, a New York Partnership whose general partners are Claire M. Silverman and Norman I. Silverman ("Neon Information"), has adopted, used and is using the mark NEON which is the subject of the following registration in the United States Patent and Trademark Office:

<u>Registration No.</u>	<u>Mark</u>	<u>Issued</u>
1,376,394	NEON	December 17, 1985

WHEREAS, Neon Systems, Inc., a Delaware corporation having a business address of 14141 Southwest Freeway, Suite 6200, Sugar Land, Texas 77478 ("Neon Systems"), is desirous of obtaining all right, title and interest in and to the NEON service mark and in the registration thereof, as recited above, together with the goodwill symbolized by said mark. and the right to sue for past infringements thereof;

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Neon Information hereby assigns and sets over unto the said Neon Systems all right, title and interest in and to the said mark, together with the goodwill of the business symbolized by the mark and the right to sue for past infringements thereof; and the above identified registration thereof.

DATED the 8<sup>th</sup> day of September, 1998.

**ASSIGNOR:  
NEON INFORMATION SYSTEMS**

By: *Claire Silverman*

Name: Claire M. Silverman  
Title: General Partner

By: *N.I.S.*

Name: Norman I. Silverman  
Title: General Partner

THE STATE OF NEW YORK §  
  §  
COUNTY OF Westchester §


Before me, a notary public, on this day personally appeared Claire M. Silverman and Norman I. Silverman, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed as general partners of said corporation.

Given under my hand and seal of office this 8<sup>th</sup> day of September, 1998.

*Donna L. Collymore*  
NOTARY PUBLIC, STATE OF NEW YORK

**DONNA L. COLLYMORE  
NOTARY PUBLIC, State of New York  
No. 01C04680433  
Qualified in Westchester County  
Commission Expires November 30, 1998**

**ASSIGNEE:**  
**NEON SYSTEMS, INC.**

By: 

Name: F. Joseph Backer  
Title: President