



# DEED OF ASSIGNMENT BETWEEN

Reed Elsevier Inc

- and -

The Minister for Education



Wray & Associates  
PATENT AND TRADEMARK ATTORNEYS Est 1920

TRADEMARK  
REEL: 002675 FRAME: 0673

THIS DEED made this 21<sup>st</sup> day of August 2002.

**BETWEEN**

**Reed Elsevier Inc** of 125 Park Avenue, 23<sup>rd</sup> floor, New York, New York 10017, United States of America (formerly of 275 Washington Street, Newton, Massachusetts, United States of America)

("the Assignor"),

**AND**

**The Minister for Education** of the State of Western Australia, Australia, of 151 Royal Street, East Perth, Western Australia, Australia, 6004, a body corporate continued by Section 214 of the School Education Act 1999 of Western Australia.

("the Assignee").

**RECITALS**

- A The Assignor is the registered proprietor in the United States, Canada, the United Kingdom and the European Community of the trade marks, together with the copyright pertaining thereto, which the Assignor may own, identified in Schedule 1 to this Deed ("the Trade Marks") which are the subject of registrations (the "Registrations") under the Trade Marks Acts of the respective countries.
- B By earlier Agreements dated 8 January 1996 and 15 October 2001 between the Assignor and the Assignee, the Assignor agreed to assign to the Assignee all its right, title and interest in and to the Trade Marks,

and the Registrations, together with the copyright pertaining thereto which the Assignor may own, together with the goodwill associated with the Assignor's trade in the goods and services in respect of which the Trade Marks have been used, to the Assignee.

- C In the premises the parties hereto have agreed to execute this Deed to supplement and confirm the earlier Agreements.

NOW BY THIS DEED

1. ASSIGNMENT

In confirmation of the earlier Agreements, the Assignor hereby sells, assigns and transfers to the Assignee all its right, title and interest to and in the Trade Marks and the Registrations, together with the copyright pertaining thereto which the Assignor may own, together with the goodwill associated with the Assignor's trade in the goods and services in respect of which the Trade Marks have been used.

2. WARRANTIES

The Assignor warrants to the Assignee that:-

- (a) it has absolute title to the Trade Marks;
- (b) there are no outstanding encumbrances or other matters affecting its capacity to assign the Trade Marks; and
- (c) The Assignor has no knowledge of any prior use of the Trade Marks by any other party (other than any possible prior use by the Assignee).

3. FURTHER ASSURANCES

The Assignor undertakes and agrees to execute and deliver all such documents and other instruments as may be necessary to:-

- (a) enable the Assignee to apply for and obtain registration as the registered proprietor of the Trade Marks and the Registrations; and
- (b) cancel the registration of any authorised user of the Trade Marks and the Registrations.

4. COSTS

The costs of and incidental to the preparation, execution, stamping and registration of this Deed shall be paid by the Assignee.

5. GOVERNING LAW



This Deed and the respective rights, duties and obligations of the parties hereunder shall be governed by and construed in accordance with the law of the State of Western Australia.




# Schedule 1


## Schedule of Trade Marks

USA



Trade Mark Number	Trade Mark	Class	Services
2138257		41	Educational services, namely, providing in-service teacher and school personnel training courses, and school developmental curricula, in the field of literacy education.
2136660	FIRST STEPS	41	Educational services, namely, providing in-service teacher and school personnel training courses, and school developmental curricula, in the field of literacy education.
2136651		41	Educational services, namely, providing in-service teacher and school personnel training courses and school developmental curricula in the field of literacy education.

CANADA


Trade Mark Number	Trade Mark	Equivalent International Class	Goods & Services
TMA547351		9, 16, 41	<p>Wares: Prerecorded audiotapes and videotapes which demonstrate teaching strategies; printed matter, namely, training manuals, handout sheets used in training sessions, brochures and flyers; printed publications, namely, books, handbooks, booklets, catalogues and newsletters; folders, instructional display charts, binders and printed forms.</p> <p>Services: Training services, namely, training courses, seminars</p>


			and workshops for tutors, teachers, principals and other school personnel in relation to educational matters including literacy programmes; arranging and conducting symposiums, exhibitions and conferences in relation to educational matters including literacy programmes.
TMA547336	FIRST STEPS	9, 16, 41, 42	<p>Wares: Prerecorded audiotapes and videotapes which demonstrate teaching strategies; printed matter, namely, training manuals, handout sheets used in training sessions, brochures and flyers; printed publications, namely books, handbooks, booklets, catalogues and newsletters; folders, instructional display charts, binders and printed forms.</p> <p>Services: Training services, namely, training courses, seminars and workshops for tutors, teachers, principals and other school personnel in relation to educational matters including literacy programmes; arranging and conducting symposiums, exhibitions and conferences in relation to educational matters including literacy programmes.</p>
TMA538736		41	<p>Services:</p> <p>(1) Providing professional development and training featuring resources to assist teachers, schools and school districts to enable children to achieve literacy objectives and goals through developmental learning and maturation and catering to the needs of all students.</p> <p>(2) Educational services, namely, providing in-service teacher and school personnel training courses.</p>



			and school development curricula, in the field of literacy education.
TMA547334		9, 16, 41	<p>Wares: Prerecorded audiotapes and video tapes which demonstrate teaching strategies; printed matter namely, training manuals, handout sheets used in training sessions, brochures and flyers; printed publications, namely, books, handbooks, booklets, catalogues and newsletters; folders, instructional display charts, binders and printed forms.</p> <p>Services: Training services, namely, training courses, seminars and workshops for tutors, teachers, principals and other school personnel in relation to educational matters including literacy programmes; arranging and conducting symposiums, exhibitions and conferences in relation to educational matters including literacy programmes.</p>
TMA538731		41, 42	<p>Services:</p> <p>(1) Providing professional development and training featuring resources to assist teachers, schools and school districts to enable children to achieve literacy objectives and goals through developmental learning and maturation and catering to the needs of all students.</p> <p>(2) Educational services, namely, providing in-service teacher and school personnel training courses, and school development curricula, in the field of literacy education.</p>


UNITED KINGDOM

Trade Mark Number	Trade Mark	Class	Goods & Services
2153236		9, 16, 41	<p>Class 9: Computer software, computer programmes; none of the aforesaid goods being for use in simulation and modelling processes in enterprises; pre-recorded instructional and training material; pre-recorded material such as video tapes, audiotapes and compact discs covering education topics and literacy programmes.</p> <p>Class 16: Printed matter including printed matter pertaining to literacy methods and literacy programmes; books, booklets, printed publications, brochures, magazines, handbooks, newsletters, and periodicals; stationery including folders and printed forms; instructional and teaching material; curriculum support materials and literacy programmes in this class; and paper, cardboard and goods made from cardboard, not included in other classes.</p> <p>Class 41: Education services relating to literacy; training services and courses relating to literacy; arranging and conducting of training courses, seminars, symposiums, exhibitions and conferences in relation to education matters including literacy programmes; publication of books, magazines, newspapers and other printed material; teaching; library services.</p>

2153215	FIRST STEPS	9, 16, 41	<p>Class 9: Computer software; computer programmes; none of the aforesaid goods being for use in simulation and modelling processes in enterprises; pre-recorded instructional and training material such as video tapes, audio tapes and compact discs covering topics and literacy programmes.</p> <p>Class 16: Printed matter including printed matter pertaining to literacy methods and literacy programmes; books, booklets, printed publications, brochures, magazines, handbooks, newsletters and periodicals; stationery including folders and printed forms; instructional and teaching material; curriculum support materials and literacy programmes in this class; and paper, cardboard and goods made from cardboard, not included in other classes; all the aforesaid goods relating to literacy training or literacy programmes.</p> <p>Class 41: Education services relating to literacy; training services and courses relating to literacy; arranging and conducting of training courses, seminars, symposiums, exhibitions and conferences in relation to education matters including literacy programmes; publication of books, magazines, newspapers and other printed material relating to literacy training or literacy programmes; teaching; library services.</p>
2153189		9, 16, 41	<p>Class 9: Computer software; computer programmes; none of the aforesaid goods being for use in simulation and modelling processes in enterprises; pre-recorded instructional and training material such as video tapes, audio tapes and compact discs</p>

		<p>covering topics and literacy programmes.</p> <p>Class 16: Printed matter including printed matter pertaining to literacy methods and literacy programmes; books, booklets, printed publications, brochures, magazines, handbooks, newsletters, and periodicals; stationery including folders and printed forms; instructional and teaching material; curriculum support materials and literacy programmes in this class; and paper, cardboard and goods made from cardboard, not included in other classes; all of the aforesaid goods relating to literacy training or literacy programmes.</p> <p>Class 41: Education services relating to literacy; training services and courses relating to literacy; arranging and conducting of training courses, seminars, symposiums, exhibitions and conferences in relation to education matters including literacy programmes; publication of books, magazines, newspapers and other printed material relating to literacy training or literacy programmes; teaching; library services.</p>
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**EUROPEAN COMMUNITY**

Trade Mark Number	Trade Mark	Class	Services
261313		41	Providing professional development and training featuring resources to assist teachers, schools, and school districts to enable children to achieve literacy objectives and goals through developmental learning and maturation and catering to the needs of all students.