

01-06-1999



100872518

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger  
Effective Date  
Month Day Year
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Formerly

Execution Date  
Month Day Year

- Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- Individual  General Partnership  Limited Partnership

Corporation  Association

Other

Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027. Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 1787 FRAME: 0882

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name	XXX
Address (line 1)	XXX
Address (line 2)	XXX
Address (line 3)	XXX
Address (line 4)	XXX

**Correspondent Name and Address**

Area Code and Telephone Number

(650) 494-0600

Name	R.J. Heher, Esq.
Address (line 1)	FENWICK & WEST LLP
Address (line 2)	Two Palo Alto Square, Suite 800
Address (line 3)	Palo Alto, CA 94306
Address (line 4)	XXX

**Pages** Enter the total number of pages of the attached conveyance document including any attachments.

# 4

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trade Application Number(s)**

**Registration Number(s)**

XXX			1,836,020		
XXX			XXX		

**Number of Properties** Enter the total number of properties involved.

# 01

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41):

\$ \$40.00

**Method of Payment:** Enclosed  Deposit Account

**Deposit Account**

(Enter for payment by deposit account or if additional fees can be charged to the account.)

**Deposit Account Number:**

# 50-0261

**Authorization to charge additional fees:**

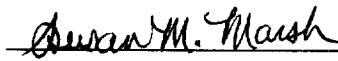
Yes  No

**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. Charges to deposit account are authorized, as indicated herein.*

Susan M. Marsh

Name of Person Signing



Signature

December 30, 1998

Date Signed

**ASSIGNMENT OF TRADEMARK**

WHEREAS, Lamb and Company, Inc. ("Assignor"), a Minnesota corporation having a principal place of business at 650 Third Avenue South, Minneapolis, Minnesota, is the record owner of U.S. Trademark Registration No. 1,836,020 (the "Registration") for the mark ILLUMINATE (the "Mark"); and

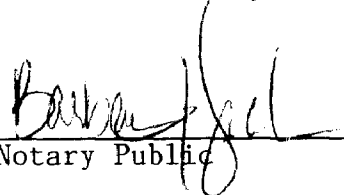
WHEREAS, Luminate Software Corporation ("Assignee"), a California corporation having a principal place of business at 1775 Woodside Road, Redwood City, California, is desirous of acquiring all right, title and interest in and to the Mark and the Registration;

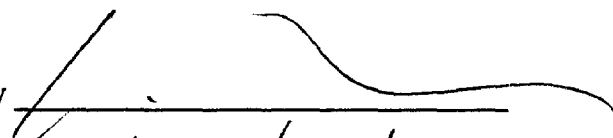
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, its successors and assigns, the entire right, title and interest in the Mark and the Registration, together with the goodwill and other incidents of Assignor's business associated with or symbolized by the Mark and/or the Registration.

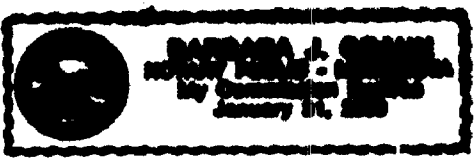
EXECUTED at Minneapolis, Minnesota, on May 14, 1998.

LAMB & COMPANY, INC.

STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
Subscribed and sworn to before  
me this 14th day of May, 1998

  
\_\_\_\_\_  
Notary Public

By   
\_\_\_\_\_  
Name: Lanny Lamb  
Title: President





**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 30, 1998

PTAS  
SCHWEGMAN, LUNDBERG, WOESSNER ET AL.  
BARBARA J. GRAHN  
P.O. BOX 2938  
MINNEAPOLIS, MN 55402



\*100775702A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 100775702

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. THE COVER SHEET SUBMITTED FOR RECORDING IS NOT ACCEPTABLE. TO RECORD A DOCUMENT, THE NAME AND ADDRESS OF THE PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENTS SHOULD BE MAILED IS REQUIRED.

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Schwegman, Lundberg  
Woessner & Grahn, P.A.

NOV 17 1998

RECEIVED

TRADEMARK  
REEL: 1787 FRAME: 0885

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
PATENT • TRADEMARK • COPYRIGHT • ATTORNEYS

1600 TCF Tower  
121 South Eighth Street  
Minneapolis, Minnesota 55402  
Telephone 612•373•6900 Facsimile 612•339•3061

Steven W. Lundberg - (612) 373.6902

Cheryl E. Classen - (612) 373.6968

December 9, 1998

R. J. Heher  
FENWICK & WEST, LLP  
Two Palo Alto Square  
Palo Alto, CA 94306

RECEIVED

DEC 10 1998

FENWICK & WEST

Re: File # 420.004USA  
in re U.S. Trademark Cancellation No. 27167  
Luminate Software vs. Lamb & Company

Dear Sir:

We are forwarding to you the enclosed assignment documents, returned to us as non-recorded by the Assignment Branch of the U.S. Patent and Trademark Office. Our office did not file these documents. As I cannot tell from the documents where the filing originated, I am sending the documents to you as counsel for Luminate Software in connection with the above-captioned matter (now resolved). If we can be of further assistance, please contact us.

Very truly yours,



Cheryl E. Classen  
Senior Paralegal/Trademarks  
Enclosures

Patent Protection  
for High Techno



TRADEMARK  
REEL: 1787 FRAME: 0886

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
PATENT • TRADEMARK • COPYRIGHT • ATTORNEYS

1600 TCF Tower

121 South Eighth Street

Minneapolis, Minnesota 55402

Telephone 612•373•6900

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Frank S. Farrell, Jr. - (612) 373.6908

Cheryl E. Classen - (612) 373.6968

December 29, 1998

Ms. Susan Marsh  
FENWICK & WEST, LLP  
Two Palo Alto Square  
Palo Alto, CA 94306

By Facsimile & Federal Express

Re: File # 420.004USA  
in re U.S. Trademark Cancellation No. 27167  
ILLUMINATE®; U.S. Reg. No. 1,836,020  
Luminate Software Corporation vs. Lamb and Company, Inc.

Dear Ms. Marsh:

As we discussed today, enclosed is the original "Assignment of Trademark" for the mark ILLUMINATE®, U.S. Reg. No. 1,836,020, executed May 14, 1998 by Lamb and Company, Inc. in favor of your client Luminate Software Corporation. Please let me know if we can be of further assistance.

Very truly yours,



Cheryl E. Classen  
Senior Paralegal/Trademarks  
Enclosure

Patent Protection  
for High Technology



RECORDED: 01/06/1999

TRADEMARK  
REEL: 1787 FRAME: 0887