

11-05-2003

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)  
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U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

DaimlerChrysler AG

*11.3-03*

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

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

3. Nature of conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other \_\_\_\_\_

Execution Date: 9/26/03

2. Name and address of receiving party(ies)

Name: smart gmbh

Internal

Address: Leibnizstrasse 2

Street Address: Boblingen, Germany

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State \_\_\_\_\_
- Other limited liability co. of Germany

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)  
Additional name(s) & address(es) attached?  Yes  No

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

A. Trademark Application No.(s) \_\_\_\_\_  
see Attachment "A"

B. Trademark Registration No.(s) \_\_\_\_\_

Additional number(s) attached  Yes  No

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

Name: Diane Donnelly

Internal Address: von Maltitz, Derenberg, Kunin

Janssen & Giordano

Street Address: 60 East 42nd Street

Suite 4410

New York State: NY Zip: 10165

6. Total number of applications and registrations involved: \_\_\_\_\_

6

7. Total fee (37 CFR 3.41).....\$ 165.00

- Enclosed
- Authorized to be charged to deposit account *if required*

8. Deposit account number:

22-0560

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OPR/FINANCE

11/04/2003 BY: 0000000 74734869

01 FC:8521  
02 FC:8522

40.00 DP  
125.00 DP

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9. Signature.

Diane Donnelly  
Name of Person Signing

*Diane Donnelly*  
Signature

October 30, 2003  
Date

Total number of pages including cover sheet, attachments, and document: 16

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

TRADEMARK  
REEL: 002856 FRAME: 0474

**ATTACHMENT "A"**

<b><u>Mark</u></b>	<b><u>Application Serial No.</u></b>
<b>SMART</b>	<b>74/734,869</b>
<b>SMART &amp; Design</b>	<b>75/274,328</b>
<b>SMART &amp; Design</b>	<b>75/274,329</b>
<b>SMART</b>	<b>75/976,380</b>
<b>SMART &amp; Design</b>	<b>75/980,715</b>
<b>SMART &amp; Design</b>	<b>75/983,379</b>

Applicant : smart gmbh  
Trademark : SMART  
Serial No. : 74/734,869  
Filing Date : September 27, 1995

POWER OF ATTORNEY  
AND  
DESIGNATION OF DOMESTIC REPRESENTATIVE

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

S i r:

The undersigned, smart gmbh, a limited liability company of Germany, located at Leibnizstrasse 2, Böblingen, Germany, owner of the above-identified trademark, hereby revokes all Powers of Attorney granted in this matter and appoints the following attorneys:

V.T. Giordano, Diane Donnelly, Werner Janssen, Jr., and  
Ronald S. Kadden, constituting the firm of von MALTITZ,  
DERENBERG, KUNIN, JANSSEN & GIORDANO, whose postal  
address is 60 East 42nd Street, Suite 4410,  
New York, New York, 10165 (Telephone No. 212-661-1400)

to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

Please direct all correspondence concerning the above registration to V. T. Giordano.

**DESIGNATION OF DOMESTIC REPRESENTATIVE**

V.T. Giordano, Diane Donnelly, Werner Janssen, Jr., and Ronald S. Kadden, constituting the firm of von MALTITZ, DERENBERG, KUNIN, JANSSEN & GIORDANO, whose postal address is 60 East 42nd Street, Suite 4410, New York, New York, 10165 (Telephone No. 212-661-1400) are hereby designated applicant's representative upon whom notice or process in proceedings affecting the mark may be served.

smart gmbh

By



Name: Bauer

Title: Chief Trademark Counsel

Date: *September 26,* 2003

ASSIGNMENT

WHEREAS, DaimlerChrysler AG, a corporation organized and existing under the laws of Germany, located at Epplestrasse 225, 70567 Stuttgart, Germany (hereinafter the "Assignor") is the owner in the United States Patent and Trademark Office of the trademarks, service marks, and applications for registrations thereof, shown on Attachment "A" (hereinafter the "Assigned Marks"); and

WHEREAS, smart gmbh, a limited liability company organized and existing under the laws of Germany, located at Leibnizstrasse 2, Böblingen, Germany (hereinafter the "Assignee") is desirous of acquiring the entire right, title and interest in and to the Assigned Marks mentioned above;

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said Assignor does hereby assign unto the said Assignee, its successors and assigns, the entire right, title and interest in and to said Assigned Marks mentioned above, together with the goodwill of the business symbolized by the said Assigned Marks, as well as all rights to damages or profits, due or accrued, arising out of past infringement of the said Assigned Marks, or injury to the said goodwill and the right to sue for and recover the same in its own name.

IN WITNESS WHEREOF, this assignment has been executed this 26<sup>th</sup> day of September, 2003.

DaimlerChrysler AG

By: 

Name: Bauer

Sourell

Title: Chief Trademark  
Counsel

Senior Counsel

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