

02-27-2003



Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

102487677 TRADEMARKS ONLY

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): GINKO OPTICAL INDUSTRIAL CO., LTD

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

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

3. Nature of conveyance:

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

Execution Date: 02/18/2003

2. Name and address of receiving party(ies)

Name: OPTIMATE, INC Internal Address:

Street Address: 405 Lynrose St City: Arcadia State: CA Zip: 91006

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

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)

B. Trademark Registration No.(s)

2,038,543

Additional number(s) attached Yes No

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

Name: Leslie S McAfee

Internal Address:

Street Address: 231 E Palm Ave

City: Burbank State: CA Zip: 91502

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

(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.

LESLIE S McAFEE, Esq. Name of Person Signing

Signature

02/18/2003 Date

Total number of pages including cover sheet, attachments, and document: 2

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

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TRADEMARK REEL: 002679 FRAME: 0856

Assignment of U.S. Trademark
Between GINKO OPTICAL INDUSTRIAL CO., LTD., and OPTIMATE, INC.

Whereas, GINKO OPTICAL INDUSTRIAL CO., LTD., a Taiwan Limited Liability Company, having its principal offices at No. 485 Sec. 1, Chang-Shui Rd, Hsiu Shui, Chang Hwa, Taiwan ("GINKO") is the owner free and clear of all liens and encumbrances, or all right, title and interest in and to the mark BARON (the "MARK"), U.S. Trademark Application Serial No. 75-039, 617, filed 1-2-1996, for the Mark and all the goodwill associated therewith; and, *Registration No. 2, 038, 543*

Whereas GINKO has agreed, pursuant to an agreement between the parties hereto, to transfer to OPTIMATE, INC. ("OPTIMATE"), a California Corporation with its principal offices located at 405 Lynrose Street, Arcadia, California 91006, all right, title and interest in and to the Mark and the application therefore, and all the goodwill associated therewith; and

Whereas OPTIMATE desires to acquire all right, title and interest in and to the Mark, including the good will associated therewith, the application therefore and the right to sue for and collect all awards, proceeds, and compensation accruing for past infringements of the Mark, if any;

NOW, THEREFORE, in consideration of fifty-thousand dollars (\$50,000) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GINKO hereby transfers and assigns to OPTIMATE, free and clear of all liens and encumbrances, all right, title and interest in and to the Mark, including the goodwill associated therewith, this Trademark Application No. 75-039,617, and the right to sue for and collect all awards, proceeds, and compensation accruing for the past infringements of the Mark.

GINKO represents and warrants that the individual executing this document is authorized to assign the Mark and the goodwill associated therewith and the application therefore on behalf of GINKO to OPTIMATE.

GINKO OPTICAL INDUSTRIAL CO., LTD.

OPTIMATE, INC.

By: *Ching-chou Shih*

By: *Ching-chou Shih*

Name: CHING-CHOU SHIH

Name: CHING-CHOU SHIH

Title: AGENT

Title: PRESIDENT

Date: 1/24/03

Date: 1/24/03