

3-26-03

03-28-2003

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)  
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102402817

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):  
ePit Systems (fka ePit, Inc.)

Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State **California**  
 Other \_\_\_\_\_

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

2. Name and address of receiving party(ies)  
Name: Hitachi, Ltd.  
Internal Address: \_\_\_\_\_  
Address: \_\_\_\_\_  
Street Address: 6 Kanda-Surugadai 4 chom JAPAN  
City: Chiyoda-Ku Tokyo State: \_\_\_\_\_ Zip: 101-8010

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State \_\_\_\_\_  
 Other Japanese Corporation

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

3. Nature of conveyance:  
 Assignment                       Merger  
 Security Agreement               Change of Name  
 Other \_\_\_\_\_

Execution Date: 10/21/02

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s) See Schedule A  
\_\_\_\_\_

Additional number(s) attached  Yes  No

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


5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Michelle C. Burke, Esq.  
Internal Address: McDermott, Will & Emery  
\_\_\_\_\_  
\_\_\_\_\_  
Street Address: 227 West Monroe  
Suite 4400  
City: Chicago State: IL Zip: 60606

6. Total number of applications and registrations involved: 9

7. Total fee (37 CFR 3.41).....\$ 240.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
13-0206

DO NOT USE THIS SPACE

9. Signature.  
Michelle C. Burke, Esq.  3-20-2003  
Name of Person Signing                      Signature                      Date

03/27/2003 LNKELLER 00000026 130206 76310615 Total number of pages including cover sheet, attachments, and document: 12

01 FC:0521 40.00 CH  
02 FC:0522 200.00 CH

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

TRADEMARK  
REEL: 002701 FRAME: 0763

**EXHIBIT A**

**TRADEMARKS**

<b>Trademark</b>	<b>Reg. No./App. No.</b>	<b>Country</b>	<b>Status</b>
EPIT	75/686,339	U.S.A	Active; Statement of Use due 9/28/02
EPIT	76/114,525	U.S.A	Active; Statement of Use due 10/16/02
EPIT	76/114,526	U.S.A	Active; Statement of Use due 11/28/02
EPIT SYSTEMS & DESIGN	76/310,482	U.S.A	Active; Statement of Use due 1/23/03
EPIT SYSTEMS & DESIGN	76/310,498	U.S.A	Active; Statement of Use due 1/9/03
EPIT SYSTEMS & DESIGN	76/310,602	U.S.A	Active; Statement of Use due 1/16/03
EPIT SYSTEMS & DESIGN	76/310,603	U.S.A	Active; Statement of Use due 1/2/03
EPIT SYSTEMS & DESIGN	76/310,609	U.S.A	Active; Statement of Use due 1/23/03
EPIT SYSTEMS & DESIGN	76/310,610	U.S.A	Active; Statement of Use due 1/23/03
EPIT SYSTEMS & DESIGN	76/310,611	U.S.A	Active; Statement of Use due 1/23/03
EPIT SYSTEMS & DESIGN	76/310,615	U.S.A	Active; Statement of Use due 1/23/03
PITPASSPORT	76/144,673	U.S.A	Active; Statement of Use due 9/19/02
EPIT	810,708	Australia	Active; Renewal due 10/18/10
EPIT	1,352,780	European Union	Active; Renewal due 10/19/09
EPIT	<del>4,484,668</del> 4,484,688	Japan	Active; Renewal due 6/22/11
EPIT	4,484,689	Japan	Active; Renewal due 6/22/11
EPIT	76/114,528	U.S.A	Not Active; Abandoned
EPIT	75/686,342	U.S.A	Not Active; Abandoned
PITPASSPORT	76/144,499	U.S.A	Not Active; Abandoned
PITPASSPORT	76/144,526	U.S.A	Not Active; Abandoned
PITPASSPORT	76/144,608	U.S.A	Not Active; Abandoned

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington VA 22202-3513 on:

DATE OF DEPOSIT: 3/20/03

SIGNATURE: [Signature]

DATE OF SIGNATURE: 3/20/03

23037/00600/SF/5083337.1

## TRADEMARK ASSIGNMENT

This TRADEMARK ASSIGNMENT (this "*Assignment*") is made and entered into as of October 21, 2002, by ePIT Systems (formally known as ePIT, Inc.), a California corporation ("*Assignor*"), as assignor, in favor of Hitachi, Ltd., a Japanese corporation ("*Assignee*"), as assignee, with reference to the following facts and circumstances:

WHEREAS, Assignee was chosen as the winning bidder in a sealed bid auction conducted by Assignor pursuant to Assignor's Notice of Sealed Bid Auction ("*Notice*"), and pursuant to which Assignor has agreed to sell and assign, and Assignee has agreed to buy and acquire certain trademark(s), application(s), and any registrations(s) resulting therefrom as described further on Exhibit A attached hereto (the "*Trademarks*");

WHEREAS, pursuant to the terms and conditions of the Notice, Assignor desires to assign and transfer to Assignee all of Assignor's right, title, and interest in and to the Trademarks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign unto Assignee, all of Assignor's right, title, and interest, including any common law rights it might own, in the United States of America and throughout the world, in and to the Trademarks and any registrations and applications for the Trademarks, together with the goodwill of the business connected with the use of and symbolized by the Trademarks.

Assignor hereby appoints Assignee as its attorney-in-fact with respect to the Trademarks and any registrations and applications for the Trademarks that are the subject of this Assignment to act in Assignor's name, place and stead to execute, deliver and record any document or instrument of assignment required in any country in which such documents may be required to transfer, grant or confirm the rights transferred, granted and confirmed herein.

This Assignment is given pursuant to the provisions of the Notice, including but not limited to "Exhibit B" to the Notice, and is made subject to the terms and provisions of the Notice and all exhibits to the Notice.

**[Remainder of Page Intentionally Left Blank]**

23037/00600/SF/5083337.1

**TRADEMARK  
REEL: 002701 FRAME: 0765**

This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one original instrument.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be duly executed by its authorized representative on and as of the day and year first above written.

**EPIT SYSTEMS**

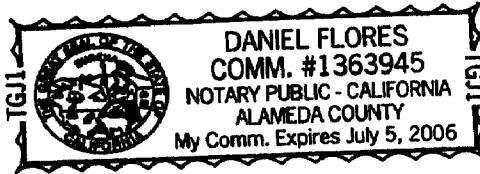
By: *Timothy Campbell*  
Timothy Campbell, President

COUNTRY OF U.S.A. )  
STATE OF CALIFORNIA ) SS.:  
COUNTY OF Alameda )

On this 21 day of Oct, 2002, before me personally appeared Timothy Campbell personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity and that by her signature on the instrument, the person, or entity on behalf of which the person acted, executed the instrument.

*[Signature]*  
Notary Public

(Seal)

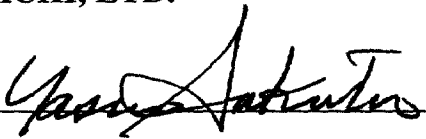


[Signature Page to Trademark Assignment]

23037/00600/SF/5083337.1

This Assignment acknowledged and agreed to by:

HITACHI, LTD.

By: 


Name: Yasuo SAKUTA, Patent Attorney  
Executive Managing Director,

Title: Intellectual Property Group  
(Authorized Signing Officer)

[Signature Page to Trademark Assignment]

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington VA 22202-3513 on:

DATE OF DEPOSIT: 2/20/03  
SIGNATURE:   
DATE OF SIGNATURE: 2/20/03

23037/00600/SF/5083337.1

TRADEMARK  
REEL: 002701 FRAME: 0767

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARKS: See Schedule A

APPLICATION NOS.: See Schedule A

INT'L CLASS NOS.: See Schedule A

FILING DATES: See Schedule A

To: Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

DESIGNATION OF DOMESTIC REPRESENTATIVE

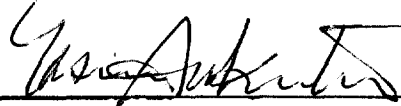
KABUSHIKI KAISHA HITACHI SEISAKUSHO d/b/a Hitachi, Ltd., a Japan corporation, which is the owner by assignment of the above-referenced applications, hereby withdraws and revokes any and all designations of domestic representative previously filed or noted on its behalf in the United States Patent and Trademark Office, including but not limited to the designation of: Sally M. Abel, Esq. and the firm of Fenwick & West, L.L.P., Two Palo Alto Square, Suite 800, Palo Alto, California. 94306.

Applicant hereby appoints Michelle C. Burke of the law firm of MCDERMOTT, WILL & EMERY, 227 West Monroe Street, Suite 4400, Chicago, Illinois 60606 as Applicant's designated domestic representative upon whom notices or process in proceedings affecting this mark may be served.

Please address all correspondence and telephone inquiries to:

Michelle C. Burke, Esq.  
MCDERMOTT, WILL & EMERY  
227 W. Monroe Street  
Suite 4400  
Chicago, IL 60606-5096  
312/372-2000

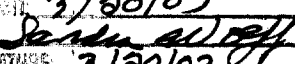
KABUSHIKI KAISHA HITACHI SEISAKUSHO d/b/a Hitachi,  
Ltd.

By:   
Name: Yasuo SAKUTA, Patent Attorney  
Executive Managing Director,  
Title: Intellectual Property Group  
(Authorized Signing Officer)

Dated: January 31, 2003

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mailed with the United States Postal Service as first class  
in an envelope addressed to: Assistant  
Commissioner for Trademarks, 2900 Crystal Drive,  
Washington, DC 20007-0513 on:

DATE OF POSTING 2/20/03  
SIGNATURE   
DATE OF SIGNATURE 2/20/03

CHI99 4051757-1.017575.0594

**SCHEDULE A  
HITACHI, LTD.**

<b>Trademark</b>	<b>Int'l. Cl.</b>	<b>Serial Number</b>	<b>Filing Date</b>
EPIT SYSTEMS AND DESIGN	39	76/310,615	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	42	76/310,611	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	35	76/310,610	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	36	76/310,609	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	16	76/310,603	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	9	76/310,602	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	38	76/310,498	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	41	76/310,482	Sept. 6, 2001
EPIT	36 & 42	76/114,526	Aug. 21, 2000

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DATE OF DEPOSIT: 3/20/03  
 SIGNATURE: *Landy Wolf*  
 DATE OF SIGNATURE: 3/20/03



SCHEDULE A  
HITACHI, LTD.

Trademark	Int'l. Cl.	Serial Number	Filing Date
EPIT SYSTEMS AND DESIGN	39	76/310,615	Sept. 6, 2001
EPIT SYSTEMS AND DESIGN	42	76/310,611	Sept. 6, 2001
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EPIT SYSTEMS AND DESIGN	16	76/310,603	Sept. 6, 2001
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