

(200) 2/2 0000

Page 2 of 17

DECLARATION OF TIM PATERSON

§

DISTRICT OF COLUMBIA

I, the undersigned Tim Paterson, declare as follows:

- 1. The facts stated herein are of my personal knowledge and if sworn as a witness, I could testify competently thereto.
- I am employed by Thomson CompuMark, 1100 13th Street NW, Suite 300, 2. Washington, DC 20005, as Team Leader, Document Services. As such, the documents referred to below were obtained under my supervision and direction.
- 3. Thomson CompuMark (formerly Thomson & Thomson) has been engaged in trademark and copyright research for over seventy-five years. We are the largest firm of this type in the United States, employing approximately 400 people and using an extensive collection of print and electronic databases. Thomson CompuMark's District of Columbia Office also regularly obtains official documents and files from the United States Patent and Trademark Office and the United States Copyright Office on behalf of our clients.
- 4. On July 25, 2007, a request was received from our client Steven M. Getzoff of Reed Smith LLP of New York for copies of assignment records of the United States Patent and Trademark Office for the following trademark registrations.

AMIGA	Registration No. 1401045
POWERED BY AMIGA	Registration No. 2369059
AMIGA	Registration No. 2319266
AMIGA	Registration No. 2802748

5. On July 26, 2007, copies of the Trademark Assignment Abstract of Title for the above registrations were obtained from the files of the United States Patent and Trademark Office. The last assignment in the chain of title for all of the above registrations shows the title to be in the name of Amiga, Inc., a Delaware Corporation with offices at 167 Madison Avenue, Suite 301, New York, New York, 10016. True and accurate copies of these four Abstracts of Title are annexed hereto as Exhibit A.

I declare under penalties of perjury that the foregoing is true and correct.

Tim Paterson

EXHIBIT A

Total Assignments: 8

Serial #: 73571532 Filing Dt: 12/04/1985 **Reg #:** 1401045 Reg. Dt: 07/15/1986

Registrant: COMMODORE-AMIGA, INC.

Mark: AMIGA

Status: First renewal 10 year -09/26/2006

Assignment: 1

Reel/Frame: 1366/0596 **Received:** 07/31/1995 **Recorded:** 06/26/1995 Pages: 8

Conveyance: ASSIGNMENT OF AN UNDIVIDED PART OF ASSIGNORS INTEREST

Assignors: COMMODORE ELECTRONICS Exec Dt: 05/01/1995

LIMITED Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 05/01/1995 COMMODORE AMIGA, INC.

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Exec Dt: 05/01/1995

COMMODORE BUSINESS

Entity Type: CORPORATION MACHINES, INC.

Citizenship: DELAWARE

Assignee: ESCOM AG

PIERGARTENSTRASSE 9

HEPPENHEIM, GERMANY D-64646

Entity Type: CORPORATION

Citizenship: GERMANY

Correspondent: ALLAN RATNER

RATNER & PRESTIA

500 NORTH GULPH ROAD, P.O. BOX 980

VALLEY FORGE, PA 19482

Assignment: 2

Reel/Frame: 1746/0455 **Received:** 06/30/1998 **Recorded:** 06/09/1998 Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: ESCOM AG Exec Dt: 05/19/1998

Entity Type: CORPORATION

Citizenship: GERMANY

Assignee: AMIGA DEVELOPMENT LLC

Entity Type: A DELAWARE LIMITED LIABILITY COMPANY 600 NORTH DERBY LANE

NORTH SIOUX CITY, SOUTH Citizenship: NONE

DAKOTA 57049

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR. 1445 ROSS AVENUE, STE. 3200

DALLAS, TX 75202-2799

Assignment: 3

Reel/Frame: 2037/0095 **Received:** 03/21/2000 **Recorded:** 02/15/2000 Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Exec Dt: 12/29/1999 Assignor: AMIGA DEVELOPMENT LLC

> **Entity Type:** CORPORATION Citizenship: DELAWARE

Citizenship: WASHINGTON

Assignee: AMINO DEVELOPMENT

CORPORATION

23800 SE KENT KANGLEY ROAD, **Entity Type: CORPORATION**

SUITE 3

MAPLE VALLEY, WASHINGTON

98038

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR. 1445 ROSS AVENUE, STE. 3200 DALLAS, TEXAS 75202-2799

Assignment: 4

Reel/Frame: 2037/0080 **Received:** 03/21/2000 **Recorded:** 02/15/2000 Pages: 2

Conveyance: CHANGE OF NAME

Assignor: AMINO DEVELOPMENT Exec Dt: 01/07/2000

CORPORATION

Entity Type: CORPORATION

Citizenship: WASHINGTON

Entity Type: CORPORATION

Citizenship: WASHINGTON

Assignee: AMIGA, INC.

23800 SE KENT KANGLEY ROAD,

SUITE 3

MAPLE VALLEY, WASHINGTON

98038

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR.

1445 ROSS AVENUE, STE. 3200

DALLAS, TEXAS 75202-2799

Reel/Frame: 3569/0638 **Received:** 06/27/2007 **Recorded:** 06/25/2007 **Pages:** 6

CORRECTIVE ASSIGNMENT TO CORRECT THE ADDRESS FOR

THE RECEIVING PARTY ON CHANGE OF NAME DOCUMENT

Conveyance: PREVIOUSLY RECORDED ON REEL 002037 FRAME 0080.

ASSIGNOR(S) HEREBY CONFIRMS THE CHANGE OF NAME.

Assignors: AMINO DEVELOPMENT Exec Dt: 01/07/2000

CORPORATION Entity Type: CORPORATION

Citizenship: NONE

AMIGA, INC. Exec Dt: 08/30/2004

Entity Type: CORPORATION

Citizenship: NONE

Assignees: AMIGA, INC.

24403 256TH AVENUE SE, P.O. BOX Entity Type: CORPORATION

Citizenship: NONE

RAVENSDALE, WASHINGTON 98051

KMOS INC.

225 FOSTER AVENUE Entity Type: CORPORATION

KENTFIELD, CALIFORNIA 94904 Citizenship: NONE

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NEW YORK 10022-7650

Assignment: 6

Reel/Frame: 3211/0093 Received: 12/15/2005 Recorded: 12/15/2005 Pages: 14

Conveyance: ACQUISITION OF INTELLECTUAL PROPERTY

Assignor: KMOS INC. Exec Dt: 08/30/2004

Entity Type: CORPORATION
Citizenship: DELAWARE

Assignee: AMIGA, INC.

24403 256TH AVENUE SE, Entity Type: CORPORATION P.O. BOX 887 Citizenship: WASHINGTON

RAVENSDALE, WASHINGTON 98051

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE 29TH FLOOR

NEW YORK, NY 10022-7650

Reel/Frame: 3211/0156 **Received:** 12/15/2005 **Recorded:** 12/15/2005 **Pages:** 3

Conveyance: CHANGE OF NAME

Assignor: KMOS INC. Exec Dt: 01/31/2005

Entity Type: CORPORATION Citizenship: CALIFORNIA

Assignee: AMIGA, INC.

24403 256TH AVENUE SE, P.O. BOX Entity Type: CORPORATION

887 Citizenship: WASHINGTON

RAVENSDALE, WASHINGTON 98051

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NM 10022-7650

Assignment: 8

Reel/Frame: 3237/0792 **Received:** 01/31/2006 **Recorded:** 01/31/2006 **Pages:** 7

CORRECTIVE ASSIGNMENT TO CORRECT THE ADDRESS AND STATE OF INCORPORATION FOR THE RECEIVING PARTY ON

Conveyance: CHANGE OF NAME DOCUMENT PREVIOUSLY RECORDED ON

REEL 003211 FRAME 0156. ASSIGNOR(S) HEREBY CONFIRMS THE

CHANGE OF NAME.

Assignor: KMOS INC. Exec Dt: 01/31/2005

Entity Type: CORPORATION
Citizenship: CALIFORNIA

Assignee: AMIGA, INC.

167 MADISON AVENUE Entity Type: CORPORATION

SUITE 301 Citizenship: DELAWARE

NEW YORK, NEW YORK 10016

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NY 10022-7650

No additional assignments, security agreements, liens, mergers, changes of name, or other transactions are recorded against this patent.

Total Assignments: 9

Serial #: 75343350 Filing Dt: 08/19/1997 Reg #: 2369059 Reg. Dt: 07/18/2000

Registrant: AMIGA DEVELOPMENT LLC

Mark: powered by AMIGA

Status: Section 8 (6-year) accepted & Section 15 acknowledged – 09/25/2006

Assignment: 1

Reel/Frame: 1672/0340 **Received:** 01/13/1998 **Recorded:** 12/29/1997 **Pages:** 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: AMIGA, INC. Exec Dt: 12/11/1997

Entity Type: CORPORATION Citizenship: DELAWARE

Assignee: AMIGA DEVELOPMENT LLC

600 NORTH DERBY LANE

Entity Type: A DELAWARE LIMITED
LIABILITY COMPANY

Citizenship: NONE

NORTH SIOUX CITY, SOUTH

DAKOTA 57049

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR.

1445 ROSS AVENUE

SUITE 3200

DALLAS, TX 75202-2799

Assignment: 2

Reel/Frame: 2037/0095 **Received:** 03/21/2000 **Recorded:** 02/15/2000 **Pages:** 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: AMIGA DEVELOPMENT LLC Exec Dt: 12/29/1999

Entity Type: CORPORATION Citizenship: DELAWARE

Assignee: AMINO DEVELOPMENT CORPORATION

23800 SE KENT KANGLEY ROAD, SUITE 3

Entity Type: CORPORATION
Citizenship: WASHINGTON

MAPLE VALLEY, WASHINGTON 98038

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR. 1445 ROSS AVENUE, STE. 3200 DALLAS, TEXAS 75202-2799

Reel/Frame: 2037/0080 **Received:** 03/21/2000 **Recorded:** 02/15/2000 **Pages:** 2

Conveyance: CHANGE OF NAME

Assignor: AMINO DEVELOPMENT CORPORATION Exec Dt: 01/07/2000

Entity Type: CORPORATION Citizenship: WASHINGTON

Entity Type: CORPORATION

Citizenship: WASHINGTON

Assignee: AMIGA, INC.

23800 SE KENT KANGLEY ROAD, SUITE 3

MAPLE VALLEY, WASHINGTON 98038

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR. 1445 ROSS AVENUE, STE. 3200 DALLAS, TEXAS 75202-2799

Assignment: 4

Reel/Frame: 3569/0654 **Received:** 06/27/2007 **Recorded:** 06/27/2007 **Pages:** 4

CORRECTIVE ASSIGNMENT TO CORRECT THE ADDRESS FOR THE

RECEIVING PARTY PREVIOUSLY RECORDED ON REEL 002037

Conveyance: FRAME 0080. ASSIGNOR(S) HEREBY CONFIRMS THE CHANGE OF

NAME.

Assignor: AMINO DEVELOPMENT CORPORATION **Exec Dt:** 01/07/2000

Entity Type: CORPORATION

Citizenship: NONE

Assignee: AMIGA, INC.

24403 256TH AVENUE, SE Entity Type: CORPORATION

P.O. BOX 887 Citizenship: NONE

RAVENSDALE, WASHINGTON 98051

Correspondent: DARREN B. COHEN, ESQ.

599 LEXINGTON AVENUE

NEW YORK, NEW YORK 10022

Recorded: 06/26/2007 **Reel/Frame:** 3569/0661 **Received:** 06/27/2007 Pages: 4

CORRECTIVE ASSIGNMENT TO CORRECT THE ASSIGNEE'S ADDRESS

Conveyance: PREVIOUSLY RECORDED ON REEL 002037, FRAME 0080. ASSIGNOR

HEREBY CONFIRMS THE CHANGE OF NAME.

Assignor: AMINO DEVELOPMENT Exec Dt: 01/07/2000

CORAPORATION Entity Type: CORPORATION

Citizenship: NONE

Assignee: AMIGA, INC.

24403 2565TH AVENUE, SE **Entity Type:** CORPORATION

P.O. BOX 887 Citizenship: NONE

RAVENSDALE, WASHINGTON 98051

Correspondent: DARREN B. COHEN, ESQ.

599 LEXINGTON AVENUE NEW YORK, NY 10022

Assignment: 6

Reel/Frame: 3211/0093 **Received:** 12/15/2005 **Recorded:** 12/15/2005 Pages: 14

Conveyance: ACQUISITION OF INTELLECTUAL PROPERTY

Assignor: KMOS INC. Exec Dt: 08/30/2004

> **Entity Type: CORPORATION** Citizenship: DELAWARE

Assignee: AMIGA, INC.

Entity Type: CORPORATION 24403 256TH AVENUE SE, P.O. BOX 887 Citizenship: WASHINGTON

RAVENSDALE, WASHINGTON 98051

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE 29TH FLOOR

NEW YORK, NY 10022-7650

Reel/Frame: 3567/0962 Received: 06/26/2007 Recorded: 06/26/2007 Pages: 22

CORRECTIVE ASSIGNMENT TO CORRECT THE THE ACQUISITION OF

INTELLECTUAL PROPERTY PREVIOUSLY RECORDED ON REEL

Conveyance: 003211 FRAME 0093. ASSIGNOR(S) HEREBY CONFIRMS THE

ACQUISITION OF INTELLECTUAL PROPERTY.

Assignor: AMIGA, INC. Exec Dt: 08/30/2004

Entity Type: CORPORATION

Citizenship: NONE

Assignee: KMOS, INC.

225 FOSTER AVENUE Entity Type: CORPORATION

KENTFIELD, CALIFORNIA 94904 Citizenship: NONE

Correspondent: DARREN B. COHEN, ESQ.

599 LEXINGTON AVENUE NEW YORK, NY 10022

Assignment: 8

Reel/Frame: 3211/0156 **Received:** 12/15/2005 **Recorded:** 12/15/2005 **Pages:** 3

Conveyance: CHANGE OF NAME

Assignor: KMOS INC. Exec Dt: 01/31/2005

Entity Type: CORPORATION Citizenship: CALIFORNIA

Assignee: AMIGA, INC.

24403 256TH AVENUE SE, P.O. BOX 887

RAVENSDALE, WASHINGTON 98051

Entity Type: CORPORATION

Citizenship: WASHINGTON

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NM 10022-7650

Reel/Frame: 3237/0792 **Received:** 01/31/2006 **Recorded:** 01/31/2006 **Pages:** 7

CORRECTIVE ASSIGNMENT TO CORRECT THE ADDRESS AND STATE OF INCORPORATION FOR THE RECEIVING PARTY ON CHANGE OF

Conveyance: NAME DOCUMENT PREVIOUSLY RECORDED ON REEL 003211

FRAME 0156. ASSIGNOR(S) HEREBY CONFIRMS THE CHANGE OF

NAME.

Assignor: KMOS INC. Exec Dt: 01/31/2005

Entity Type: CORPORATION Citizenship: CALIFORNIA

Assignee: AMIGA, INC.

167 MADISON AVENUE Entity Type: CORPORATION SUITE 301 Citizenship: DELAWARE

NEW YORK, NEW YORK 10016

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NY 10022-7650

No additional assignments, security agreements, liens, mergers, changes of name, or other transactions are recorded against this patent.

Total Assignments: 5

Serial #: 75642361 Filing Dt: 02/17/1999 Reg #: 2319266 Reg. Dt: 02/15/2000

Registrant: Amiga Development LLC

Mark: AMIGA

Status: Section 8 (6-year) accepted – 10/19/2006

Assignment: 1

Reel/Frame: 2037/0095 **Received:** 03/21/2000 **Recorded:** 02/15/2000

Conveyance: ASSIGNS THE ENTIRE INTEREST

Exec Dt: 12/29/1999 **Assignor:** AMIGA DEVELOPMENT LLC

> **Entity Type:** CORPORATION Citizenship: DELAWARE

Assignee: AMINO DEVELOPMENT

CORPORATION

23800 SE KENT KANGLEY ROAD, Entity Type: CORPORATION

SUITE 3

Citizenship: WASHINGTON MAPLE VALLEY, WASHINGTON

98038

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR. 1445 ROSS AVENUE, STE. 3200 DALLAS, TEXAS 75202-2799

Assignment: 2

Reel/Frame: 2037/0080 Received: 03/21/2000 Recorded: 02/15/2000 Pages: 2

Conveyance: CHANGE OF NAME

Assignor: AMINO DEVELOPMENT Exec Dt: 01/07/2000

CORPORATION

Entity Type: CORPORATION

Citizenship: WASHINGTON

Assignee: AMIGA, INC.

23800 SE KENT KANGLEY ROAD,

SUITE 3

Entity Type: CORPORATION

Citizenship: WASHINGTON MAPLE VALLEY, WASHINGTON

98038

Correspondent: JENKENS & GILCHRIST, P.C.

P. WESTON MUSSELMAN, JR. 1445 ROSS AVENUE, STE. 3200 **DALLAS, TEXAS 75202-2799**

Reel/Frame: 3211/0093 Received: 12/15/2005 Recorded: 12/15/2005 Pages: 14

Conveyance: ACQUISITION OF INTELLECTUAL PROPERTY

Assignor: KMOS INC. Exec Dt: 08/30/2004

Entity Type: CORPORATION Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: WASHINGTON

Assignee: AMIGA, INC.

24403 256TH AVENUE SE, P.O.

BOX 887

RAVENSDALE, WASHINGTON

98051

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NY 10022-7650

Assignment: 4

Reel/Frame: 3211/0156 Received: 12/15/2005 Recorded: 12/15/2005 Pages: 3

Conveyance: CHANGE OF NAME

Exec Dt: 01/31/2005 Assignor: KMOS INC.

> **Entity Type:** CORPORATION Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: WASHINGTON

Assignee: AMIGA, INC.

24403 256TH AVENUE SE, P.O.

BOX 887

RAVENSDALE, WASHINGTON

98051

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NM 10022-7650

Reel/Frame: 3237/0792 **Received:** 01/31/2006 **Recorded:** 01/31/2006

CORRECTIVE ASSIGNMENT TO CORRECT THE ADDRESS AND STATE OF INCORPORATION FOR THE RECEIVING

Conveyance: PARTY ON CHANGE OF NAME DOCUMENT PREVIOUSLY

RECORDED ON REEL 003211 FRAME 0156. ASSIGNOR(S)

HEREBY CONFIRMS THE CHANGE OF NAME.

Assignor: KMOS INC. Exec Dt: 01/31/2005

> **Entity Type: CORPORATION** Citizenship: CALIFORNIA

Assignee: AMIGA, INC.

167 MADISON AVENUE Entity Type: CORPORATION SUITE 301 Citizenship: DELAWARE

NEW YORK, NEW YORK 10016

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NY 10022-7650

No additional assignments, security agreements, liens, mergers, changes of name, or other transactions are recorded against this patent.

Total Assignments: 3

Serial #: 76096557 Filing Dt: 07/11/2000 Reg #: 2802748 Reg. Dt: 01/06/2004

Registrant: Amiga, Inc. Mark: AMIGA

Status: Registered - Principal Register - 01/06/2004

Assignment: 1

Reel/Frame: 3211/0093 Received: 12/15/2005 Recorded: 12/15/2005 Pages: 14

Conveyance: ACQUISITION OF INTELLECTUAL PROPERTY

Assignor: KMOS INC. Exec Dt: 08/30/2004

> **Entity Type:** CORPORATION Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: WASHINGTON

Entity Type: CORPORATION

Citizenship: WASHINGTON

Assignee: AMIGA, INC.

24403 256TH AVENUE SE, P.O.

BOX 887

RAVENSDALE, WASHINGTON

98051

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NY 10022-7650

Assignment: 2

Reel/Frame: 3211/0156 **Received:** 12/15/2005 **Recorded:** 12/15/2005 Pages: 3

Conveyance: CHANGE OF NAME

Assignor: KMOS INC. Exec Dt: 01/31/2005

> **Entity Type: CORPORATION** Citizenship: CALIFORNIA

Assignee: AMIGA, INC.

24403 256TH AVENUE SE, P.O.

BOX 887

RAVENSDALE, WASHINGTON

98051

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NM 10022-7650

Reel/Frame: 3237/0792 Received: 01/31/2006 Recorded: 01/31/2006 Pages: 7

CORRECTIVE ASSIGNMENT TO CORRECT THE ADDRESS AND STATE OF INCORPORATION FOR THE RECEIVING

Conveyance: PARTY ON CHANGE OF NAME DOCUMENT PREVIOUSLY

RECORDED ON REEL 003211 FRAME 0156. ASSIGNOR(S)

HEREBY CONFIRMS THE CHANGE OF NAME.

Assignor: KMOS INC. Exec Dt: 01/31/2005

> **Entity Type: CORPORATION** Citizenship: CALIFORNIA

Assignee: AMIGA, INC.

167 MADISON AVENUE Entity Type: CORPORATION SUITE 301 Citizenship: DELAWARE

NEW YORK, NEW YORK 10016

Correspondent: DARREN B. COHEN

599 LEXINGTON AVENUE

29TH FLOOR

NEW YORK, NY 10022-7650

No additional assignments, security agreements, liens, mergers, changes of name, or other transactions are recorded against this patent.