

12-04-1998



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To the Honorable Commissioner c

the attached original documents or copy thereof.

1. Name of conveying party(ies):

BioStar, Inc.
6655 Lookout Road
Boulder, Colorado 80301

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Security Interest Termin. at 1593/0070
- Merger
- Change of Name

Execution Date: November 9, 1998

2. Name and address of receiving party(ies):

Name: Venture Banking Group (f/k/a Venture Lending)

Internal Address: a division of Cupertino National Bank & Tr

Street Address: Three Palo Alto Square, Suite 150

City: Palo Alto State: CA ZIP: 94306

- 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 trademark number(s):

A. Trademark Application No.(s)

12/03/1998 SBURNS 00000134 080219 1971825

01 FC:481 40.00 CH
02 FC:482 50.00 CH

B. Trademark Registration No.(s)

1,971,825 1,881,052
1,436,984

Additional numbers attached? Yes No

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

Name: Michael J. Bevilacqua, Esquire

Internal Address: Hale and Dorr LLP

Street Address: 60 State Street

City: Boston State: MA ZIP: 02109

6. Total number of applications and registrations involved:

3

7. Total fee (37 CFR 3.41).....\$90.00

- Enclosed
- Authorized to be charged to deposit account
Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number:

08-0219

(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.

Michael J. Bevilacqua
Name of Person Signing

Signature

November 24, 1998
Date

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

7

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 1821 FRAME: 0708

891.98 672

RELEASE OF TRADEMARK SECURITY INTEREST

WHEREAS, BioStar, Inc., a Delaware corporation, located at 6655 Lookout Road, Boulder, Colorado 80301 ("BioStar"), and Venture Banking Group (f/k/a Venture Lending), a Division of Cupertino National Bank & Trust, Three Palo Alto Square, Suite 150, Palo Alto, California 94306 ("Venture"), entered into a certain Intellectual Property Security Agreement (the "Security Agreement"), dated as of May 1, 1997, which was recorded on May 15, 1997 at Reel 1593 and Frame 0070, that by its terms granted Venture a security interest in all trademark and servicemark rights, whether registered or not, applications to register and registrations of the same and like protections, and the entire goodwill of the business of BioStar connected with and symbolized by such trademarks, including, without limitation those set forth on *Exhibit C* attached hereto and all amendments, renewals and extensions of the foregoing (collectively the "Trademarks");

WHEREAS, the Security Agreement provides that Venture shall execute and deliver to BioStar a termination of all security interests granted by BioStar upon the payment and full performance of all obligations incurred under the Security Agreement; and

WHEREAS, BioStar has or has caused to be paid and satisfied in full the obligations for which the security interest in the Trademarks was granted.

NOW THEREFORE Venture hereby releases its security interest in the Trademarks and reassigns to BioStar any interest in the Trademarks acquired by Venture under the Security Agreement.

IN WITNESS WHEREOF the parties hereto by the signature below of their duly authorized representatives agree to be bound by the provisions of this Release as of the date of execution, this 9th day of November, 1998.

VENTURE BANKING GROUP
(f/k/a VENTURE LENDING), a division of
CUPERTINO NATIONAL BANK & TRUST

By: *Daniel Pastore*

Title: *Vice President*

State of *California*
County of *Santa Clara* ss.

Then personally appeared the above named *Vice President* and acknowledged the foregoing act to be *his* free act and deed, before me, this *10th* day of *November*, 1998.

Carol N. Viduya
Notary Public

My commission expires:



EXHIBIT C

Trademarks

Description

Registration/
Application
Number

Registration/
Application
Date

SEE ATTACHMENTS

STATUS REPORT FOR BIOSTAR TRADEMARK

CONFIDENTIAL

1ST QTR, 1997

REV:013

COUNTRY	REGISTR. #	SERIAL #	CLASS 1 STATUS	CLASS 5 STATUS	CLASS 9 STATUS	CLASS 10 STATUS	COMMENTS
US	1436984		GRANT 4/21/87	1,915,949 REGIS 9/5/95; USE 9/5/2000 RENEW 9/5/2005	FILED 6/7/94 PUBLISHED 1/14	FILED 6/94	OPPOSITION TO TRIPOS FILED 2/12
FRANCE	92/439161		GRANT 10/27/92	GRANT 10/27/92	GRANT 10/27/92	GRANT 10/27/92	
SWITZER- LAND	403 361		GRANT 9/7/93	GRANT 9/7/93	GRANT 9/7/93	GRANT 9/7/93	
AUSTRALIA		607013	GRANTED	PUBLISHED FOR OPPOSITION	N/A	N/A	NEED TO SUPPLY PROOF OF USE (SALES) CALTEX PETROLEUM SEEKING CO - EXIST AGREEMENT DELAYING AS LONG AS POSSIBLE
BENELUX	627663	785340	REGISTRATION DATE 4-Sep-92	REGISTRATION DATE 4-Sep-92	DROPPED	REGISTRATION DATE 4-Sep-92	
GERMANY		B965895WZ	FILING IN PROCESS	2,101,811 REGIS. 9/11/2 ISSUED 9/11/96	FILING IN PROCESS		USE DATE: 9/16/2001; RENEWAL: 9/20/2002 REQ. BIOSTAR TO LIMIT THEIR SPECIFICATION OPPOSITION DUE 5/29
ITALY		RM82C/ 3436	944112 FILING DATE 9/7/92 ISSUE: 2/2/96				USE DATE: 2/20/2000; RENEWAL: 9/7/2002 5 YR LAPSE PERIOD
JAPAN		04-299066	DROPPED	DESCRIPTION MODIFIED FROM CLASS 1	NEW FILING MADE 10/4/93 F-100705	NEW FILING MADE 10/4/93 F-100706	
SPAIN		1722487	AWAITING OFFICE ACTION	NOT AVAILABLE	1722488 PENDING	1722489 AWAITING OFFICE ACTION	
SWEDEN		92-08795	306,539 ISSUE 12/8/95; RENEW 12/8/2005; USE BY 12/8/2000	BIOSTARH CONSENT OBTAINED	PENDING	DROPPED	
LK			1512808 PENDING PUBLISHED 11/20/96	1512809 PENDING	1512810 GRANTED 11/94 RENEW 11/11/99	N/A	REGISTRATION DUE 2/19/97; COLLECTING USAGE INFORMATION

STATUS REPORT FOR BIOSTAR LOGO TRADEMARK

CONFIDENTIAL

18T QTR, 1997

REV:011

COUNTRY	REGISTR. #	SERIAL #	CLASS 1 STATUS	CLASS 5 STATUS	CLASS 9 STATUS	CLASS 10 STATUS	COMMENTS
US			1,995,565 REGIS: 8/20/86 RENEW: 8/20/2006 USE: 8/20/2001	1,921,448 REGIS: 8/5/95 RENEW: 8/5/2005 USE: 8/5/2000	1,921,450 REGIS: 8/28/85 RENEW: 8/28/2005	RE - FILED 8/8/95	REGISTRATION DATE: 8/5/85; RENEWAL DATE: 8/5/2005; USE DATE: 8/5/2000
FRANCE			GRANTED 11/84	GRANTED 11/84	GRANTED 11/84	GRANTED 11/84	
SWITZERLAND	421,480						REGIS. DATE: 8/29/84; USE DATE: 8/2/89; RENEWAL DATE: 8/2/2004; 10 YR RENEWAL PERIOD; 5 YR LAPSE PERIOD
AUSTRALIA			A632094 ISSUED 8/8/85 RENEW: 8/10/2001	FILED 8/84 A628729 REGIS. DATE 4/4/89		FILED 8/84	NEED STATEMENT OF USE (SALES) IMMEDIATELY USE DATE CLASS 8: 8/2/86; RENEW DATE 8/2/2004
BENELUX			FILED 8/84				Issued: use date 8/11/87; renewal date 8/11/2004
CANADA							
GERMANY				2,909,189 REGIS: 8/29/84; ISSUE 7/1/86;		2,909,189	RENEW DATE 8/28/2004 USE DATE: 7/1/2000
ITALY				891,583 ISSUED 11/14/86 USE 11/14/2001	891,583 ISSUED 11/14/86 USE 11/14/2001	891,583 ISSUED 11/14/86 USE 11/14/2001	RENEW DATE 8/2/84
JAPAN							
SPAIN							
SWEDEN			FILED 8/4/84	317,006 ISSUE 8/20/86 USE 8/20/2001		FILED 8/4/84	RENEWAL DATE 8/20/2006 5 YR LAPSE PERIOD
UK				1812009 ISSUED 10/31/84 EFFECTIVE 10/31/84			USE DATE: 10/31/89; RENEWAL DATE 10/31/2004

STATUS REPORT FOR OIA TRADEMARK

CONFIDENTIAL

1ST QTR, 1997

REV:013

COUNTRY	REGISTR. #	SERIAL #	CLASS 1 STATUS	CLASS 5 STATUS	CLASS 9 STATUS	CLASS 10 STATUS	COMMENTS
US		74213,081	REGISTERED 2/29/95	REGISTERED 2/29/95	REGISTERED 2/29/95	DROPPED	RENEWAL 2/29/2005 DECLARATION OF USE DUE 2/29/2000
FRANCE	92439190		GRANT 10/27/92	GRANT 10/27/92	GRANT 10/27/92	GRANT 10/27/92	
CANADA		712240	GRANTED 7/23/93	GRANTED 7/23/92	GRANTED 7/23/93	GRANTED 7/23/93	DECLARATION OF USE DUE IN SEPT. 1995 STILL NEEDED REQ. AND EXTENSION MAY NOT BE APPROVED
AUSTRALIA		57700	REGISTERED 9/22/92	REGISTERED 9/22/92	N/A	N/A	NEED PROOF OF USE
BENELUX	827877	785341	REGISTRATION DATE SEPT. 4, 1992	REGISTRATION DATE SEPT. 4, 1992		REGISTRATION DATE SEPT. 4, 1992	NEED PROOF OF USE
GERMANY		B968205VZ	FILING IN PROCESS	SPECIFICATION MODIFIED TO ADDRESS EXAMINER'S OBJ.	FILING IN PROCESS	CHECKING	ISSUED IN CLASSES 5, 9, 10 ON 3/31/95 RENEWAL DATE: 9/3/2002
ITALY		RM92C/ 3437	PENDING 644119	PENDING	PENDING	PENDING	USE DATE 2/31/2000 REGIS DATE: 2/29/96; USE DATE: 2/29/2000; RENEWAL DATE: 9/7/2002; 5 YR LAPSE PERIOD
JAPAN		04-299067	DROPPED	OFFICE ACTION ADDRESSED RESPONSE FILED 2/14	FILING DATE 10/4/93 6-100707	FILING DATE 10/4/93 5-100706 PUBLISHED	CLASS 9 PUBLISHED 3/25/94; OPPOSITION PERIOD ENDS 2/20
SPAIN			1722404 REGIS: 9/29/92 TAX DATE: 9/29/97	N/A	1722485 REGIS: 9/29/92	1722406 REGIS: 9/29/92	USE DATE: 9/29/97 RENEWAL DATE: 9/29/2002
SWEDEN		92-08794	PENDING	PENDING	PENDING	PENDING	
SWITZERLAND		65741992.1	GRANTED 9/29/93	GRANTED 9/29/93	GRANTED 9/29/93	GRANTED 9/29/93	
UK			1513939	1513939	1513940 REGISTERED		ISSUED 8/11/96; REGIS: 10/31/94 USE DATE: 10/31/96; RENEW DATE: 10/31/2004

STATUS REPORT FOR BETTER RESULTS... TRADEMARK

CONFIDENTIAL

1ST QTR, 1997

REV:011

COUNTRY	REGISTR. #	SERIAL #	CLASS 1 STATUS	CLASS 5 STATUS	CLASS 9 STATUS	CLASS 10 STATUS	COMMENTS
US	1,971,425		USE DATE: 4/30/2001 RENEWAL: 10/30/2005 REGIS: 4/20/96	FILED 6/94 3/21/95 publication ACCEPTED 11/1/95	PUBLISHED 11/21/95 74/534513 2/1/96	FILED 6/94	
AUSTRALIA							
CANADA			FILED 6/94 756908	FILED 6/94 756908	FILED 6/94 756908		
UK			TO BE FILED				DECLARATION OF USE DUE 6/1/97 COLLECTED AVAILABLE SALES INFO. FOR SUPPORT

STATUS REPORT FOR SAGAX TRADEMARK

1ST QTR, 1997

REV:006

COUNTRY	REGISTR. #	SERIAL #	CLASS 1 STATUS	CLASS 5 STATUS	CLASS 9 STATUS	CLASS 10 STATUS	COMMENTS
CANADA			4/1/95 publication ACCEPTED 11/27/1995	3/21/95 publication ACCEPTED 11/1/95			