

09-22-2000

FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027



U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

101466294

9-700

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID #
- Correction of PTO Error
Reel # Frame #
- Corrective Document
Reel # Frame #

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
Effective Date
Month Day Year
- Merger
- Change of Name
- Other Release of Security Interest

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name San Diego National Bank

08252000

Formerly

1797660

- Individual General Partnership Limited Partnership Corporation Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name Touch Technologies, Inc.

DBA/AKA/TA

Composed of

Address (line 1) 9988 Hibert Street, Suite 310,

Address (line 2)

Address (line 3) San Diego

City

CA, USA

State/Country

92131

Zip Code

- Individual General Partnership Limited Partnership
- Corporation Association
- Other

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Citizenship/State of Incorporation/Organization California

FOR OFFICE USE ONLY

09/22/2000 MTHAI1 00000014 1797660

01 FC:481
02 FC:488

40.00 OP
50.00 OP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 002144 FRAME: 0659

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

(619) 232-7002

Name

Marnie Wright Barnhorst, Esq.

Address (line 1)

The Trademark Group

Address (line 2)

2200 Symphony Towers, 750 B Street

Address (line 3)

San Diego, CA 92101

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

2

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

1,797,660	1,768,718	1,319,007
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

3

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

90.00

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

500-405

Authorization to charge additional fees:

Yes

No

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. Charges to deposit account are authorized, as indicated herein.

Marnie Wright Barnhorst

Name of Person Signing

Signature

9-1-00

Date Signed

**ACKNOWLEDGEMENT OF RELEASE OF SECURITY INTEREST
IN TRADEMARKS**

WHEREAS, TOUCH TECHNOLOGIES, INC., a California corporation, ("Borrower"), having a principal place of business at 9988 Hibert Street, Suite 310, San Diego, California 92131, has adopted, used and is the owner of certain trademarks and the registrations therefore in the State of California and the United States Patent and Trademark Office (collectively "Registered Trademarks"), as listed on Schedule 1 attached hereto,

WHEREAS, SAN DIEGO NATIONAL BANK, ("Lender"), is a national association having a principal place of business at 1420 Kettner Blvd, Suite 101, P.O. Box 12605, San Diego, California 92112-3605,

WHEREAS, on April 3, 1998, Borrower executed and delivered to Lender a Commercial Security Agreement, a Business Loan Agreement, a Promissory Note, and a Financing Statement (collectively the "Agreements"), by which Borrower granted Lender a security interest in all general intangibles to secure the prompt payment, performance and observance of the obligations as defined by the Agreements,

WHEREAS, the aforementioned security interest in all general intangibles included all right, title and interest in the above-identified Registered Trademarks together with the good will of the business symbolized by them and all common law rights in them; said security interest also included all right, title and interest in any other registered trademarks and all unregistered trademarks together with the good will of the business symbolized by them and all common law rights in them and all right, title and interest in all registered or unregistered copyrights together with all derivative works (collectively "Other Intellectual Property"); said security interest also included all proceeds related to the Registered Trademarks and Other Intellectual Property including but not limited to any and all causes of action past, present or future which may exist by reason of infringement thereof, and

WHEREAS, Borrower has met its obligations as defined by the Agreements and Lender has released the security interest granted by Borrower, and

WHEREAS, Borrower and Lender desire to have a recordable document evidencing such release of security interest;

NOW, THEREFORE, in consideration of the foregoing recitals, and other goods and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lender hereby confirms that it previously released the security interest in the above-identified Registered Trademarks and Other Intellectual Property.

IN WITNESS WHEREOF, Lender has executed this Release of Security Interest on the date indicated below.

8-25-00
Date

SAN DIEGO NATIONAL BANK
By: John Ambrose
Its: Vice President

SCHEDULE 1

TRADEMARK REGISTRATIONS

1. United States Trademark Registration No. 1,797,660
issued May 4, 1993 for the mark **EZSHELL and Design**
2. United States Trademark Registration No. 1,768,718
issued May 4, 1993 for the mark **BORN TO CODE**
3. United States Trademark Registration No. 1,319,007
issued February 12, 1985 for the mark **INTOUCH**
4. California Trademark Registration No. 98,874
issued April 29, 1994 for the mark **DYNAMIC LOAD BALANCER PLUS**
5. California Trademark Registration No. 96,959
issued January 6, 1993 for the mark **FRAGMENTATION CONTROLLER**
6. California Trademark Registration No. 98,222
issued October 20, 1993 for the mark **REMOTE DEVICE FACILITY**
7. California Trademark Registration No. 94,728
issued August 30, 1991 for the mark **CLUSTER PERFORMANCE MASTER**
8. California Trademark Registration No. 85,514
issued October 29, 1987 for the mark **DYNAMIC LOAD BALANCER**
9. California Trademark Registration No. 90,556
issued September 28, 1989 for the mark **MATRICULATION SUPPORT
SYSTEM**
10. California Trademark Registration No. 88,279
issued August 4, 1988 for the mark **DYNAMIC TAPE ACCELERATOR**
11. California Trademark Registration No. 93,651
issued February 20, 1991 for the mark **REMOTE TAPE FACILITY**