

04-12-2001

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



101661793

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Submission Type

- ☒ New **3-28-01**
- ☐ Resubmission (Non-Recordation)  
Document ID#
- ☐ Correction of PTO Error  
Reel #  Frame #
- ☐ Corrective Document  
Reel #  Frame #

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security ☐ Nunc Pro Tunc Assignment
- ☐ Merger
- ☐ Change of Name
- ☒ Other

Effective Date  
Month Day Year  
**03/01/01**

MAR 28 2001

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year

**03/01/01**

Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association
- ☐ Other

☒ Citizenship/State of Incorporation/Organization

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Name

DBA/AKA/TA

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☒ Other

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**4DE**

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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.

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**Domestic Representative Name and Address**

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Address (line 1)

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**Correspondent Name and Address**Area Code and Telephone Number (919) 286-8000Name Steven D. ThomasAddress (line 1) Moore & Van Allen, PLLCAddress (line 2) 2200 West Main StreetAddress (line 3) Suite 800Address (line 4) Durham, North Carolina 27705**Pages**

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

# 3**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)


1,321,950


**Number of Properties**

Enter the total number of properties involved.

# 1**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40.00

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:

# 13-4365

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.

Steven D. Thomas

Name of Person Signing

Signature

Date Signed

NOTICE  
OF  
GRANT OF SECURITY INTEREST  
IN  
TRADEMARKS

United States Patent and Trademark Office

Gentlemen:

Please be advised that pursuant to the Amended and Restated Security Agreement dated as of March 1, 2001 (the "Security Agreement") by and among the Obligors party thereto (each an "Obligor" and collectively, the "Obligors") and First Union National Bank, as Administrative Agent (the "Administrative Agent") for the lenders referenced therein (the "Lenders"), the undersigned Obligor has granted a continuing security interest in and continuing lien upon, the trademarks and trademark applications shown below to the Administrative Agent for the ratable benefit of the Lenders:

TRADEMARKS

<u>Trademark No.</u>	Description of <u>Trademark</u>	<u>Date of Trademark</u>
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TRADEMARK APPLICATIONS

<u>Trademark Application No.</u>	Description of Trademark <u>Applied For</u>	Date of Trademark <u>Application</u>
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The Obligors and the Administrative Agent, on behalf of the Lenders, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

TURNING POINT SOFTWARE, INCORPORATED

By: 

Robert Salisbury

Senior Vice President/Secretary

Acknowledged and Accepted:

FIRST UNION NATIONAL BANK,  
as Administrative Agent

By: 

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Turning Point Software, Incorporated  
(Massachusetts Corporation)**

**U.S. Trademark**

**Registered Mark**

Mark	Registration No.	Registration Date
TIME IS MONEY	1,321,950	2/26/85