

8-301

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings

08-14-2001



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks 101811655

and original documents or copy thereof.

1. Name of conveying party(ies):

Creekpath Systems, Inc.

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: May 31, 2001

2. Name and address of receiving party(ies)

Name: GATX Ventures, Inc.

Internal Address: Attn: Contract Administration

Street Address: 3687 Mt. Diablo Blvd. Suite 200

City: Lafayette State: CA Zip: 94549

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Delaware 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 registration number(s):

A. Trademark Application No.(s)

75/869,754 76/078,602 76/109,164

B. Trademark Registration No.(s)

Additional number(s) attached Yes No

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

Name: Levy, Small & Lallas

Internal Address: Attn: Sebastian Camua

Street Address: 815 Moraga Drive

City: Los Angeles State: CA Zip: 90049

6. Total number of applications and registrations involved:

3

7. Total fee (37 CFR 3.41):

\$900

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(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.

Sebastian Camua

Name of Person Signing

Signature

Signature

08/02/01

Date

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

6

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

08/13/2001 ANNED1 00000157 75869754

01 FC:481 02 FC:482

40.00 OP 50.00 OP

TRADEMARK REEL: 002347 FRAME: 0584

Item #2 (continued) (additional Name and Address of receiving party(ies):

Name: Silicon Valley Bank

Internal Address: Attn: General Counsel

Street Address: 3003 Tasman Drive

City, State, Zip: Santa Clara, California 95054

Silicon Valley Bank is a California Corporation.

GRANT OF SECURITY INTEREST

TRADEMARKS

THIS GRANT OF SECURITY INTEREST, dated as of May 31, 2001, is executed by CREEKPATH SYSTEMS, INC. ("Debtor"), in favor of in favor of GATX VENTURES, INC., as Agent and for itself, and SILICON VALLEY BANK ("Secured Parties").

A. Pursuant to a Venture Loan and Security Agreement dated as of May 31 2001 and an Equipment Loan and Security Agreement dated as of May 31, 2001 (collectively, the "Agreements"), among the Debtor and the Secured Parties, the Secured Parties have agreed to extend certain credit facilities to Debtor upon terms and subject to the conditions set forth therein.

B. Debtor owns the registered trademarks, service marks (and applications and registrations therefor), of the United States, more particularly described on Schedules 1-A and 1-B annexed hereto as part hereof (collectively, the "Trademarks");

C. Pursuant to the Agreements, Debtor has granted to Secured Parties a security interest in all right, title and interest of Debtor in and to the Trademarks, together with associated goodwill, and all proceeds thereof, including any and all causes of action which may exist by reason of infringement thereof for the full term of the Trademarks (the "Collateral"), to secure the prompt payment, performance and observance of the Obligations, as defined in the Agreements;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Debtor does hereby further grant to Secured Parties a security interest in the Collateral to secure the prompt payment, performance and observance of the Obligations.

Debtor does hereby further acknowledge and affirm that the rights and remedies of Secured Parties with respect to the security interest in the Collateral granted hereby are more fully set forth in the Agreements, the terms and provisions of which are hereby incorporated herein by reference as if fully set forth herein.


Secured Parties' addresses are:

GATX Ventures, Inc.
3687 Mt. Diablo Blvd., Suite 200
Lafayette, CA 94549
Attention: Contract Administration
Fax: (925) 258-6050
PH: (925) 254-6000

Silicon Valley Bank
3003 Tasman Drive
Santa Clara, CA 95054
Attention: General Counsel
Fax: 408-496-2419
PH: 408-654-7400

IN WITNESS WHEREOF, Debtor has caused this instrument to be executed as of the day and year first written above.

CREEKPATH SYSTEMS, INC.

By: 
Name: PAUL CARDOSI
Title: CFO

SCHEDULE 1-A TO GRANT OF SECURITY INTEREST

TRADEMARKS

Trademark	Registration Number	Registration Date
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SCHEDULE 1-B TO GRANT OF SECURITY INTEREST

TRADEMARK APPLICATIONS

Trademark Application	Application Number	Application Date
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CreekPath Systems	75/869,754	1/14/00
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CreekPath design mark	76/078,602	6/15/00
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CreekPort	76/109,164	6/27/00
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