

5/7/02

05-15-2002

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



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

102089618

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Science Applications International Corporation

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other Termination of Security Interest

Execution Date: 5/6/2002

2. Name and address of receiving party(ies)

Name: Conita Technologies, Inc.

Internal Address:

Street Address: 1200 Main Street, Suite 900

City: Columbia State: SC Zip: 29201

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State South Carolina 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) 75/894397, 76/087311, 76/095660, 76/101276

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: Thomas A. Brumgardt

Internal Address: Nelson Mullins Riley & Scarborough, L.L.P.

Street Address: Keenan Building, Third Floor 1330 Lady Street

City: Columbia State: SC Zip: 29211

6. Total number of applications and registrations involved:

8

7. Total fee (37 CFR 3.41): \$ 215

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

50-1196

DO NOT USE THIS SPACE

9. Signature.

Thomas A. Brumgardt Name of Person Signing

Signature

May 6, 2002 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 Patent & Trademarks, Box Assignments Washington, D.C. 20231

05/15/2002 09:42:01 (000154) 158/14 97 01 PD-44 40,00 01 00 10-487

TRADEMARK REEL: 002505 FRAME: 0730

# ATTACHMENT

4.A. Additional Trademark Application No.(s):

76/087310

76/101275

75/894973

76/087441

## RELEASE AGREEMENT

THIS RELEASE AGREEMENT ("Agreement") is made as of this 30<sup>th</sup> day of April 2002 by and between Conita Technologies, Inc. ("Conita") and Science Applications International Corporation ("SAIC").

WHEREAS, Conita and SAIC are parties to that certain Value Added Reseller Agreement, dated as of November 16, 2000, as amended from time to time (the "VAR Agreement");

WHEREAS, in connection with the VAR Agreement, the parties entered into that certain Pledge Agreement, dated as of February 16, 2001 (the "Pledge Agreement"), pursuant to which Conita granted SAIC a security interest in and lien on certain Collateral (as this term is defined in the Pledge Agreement), and the parties filed Notices of Recordation of Assignment with the United States Department of Commerce, Patent and Trademark Office on March 28, 2001; and

WHEREAS, SAIC now desire to release its security interest in and lien on the assets of Conita and terminate such filings;

NOW, THEREFORE, in consideration of the foregoing and the agreement set forth herein, the receipt, sufficiency and adequacy of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

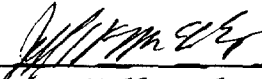
1. Release. SAIC hereby forever releases and terminates any and all security interests or other lien rights (whether statutory, expressly created, arising in tort or otherwise) in and to any and all assets of Conita, including (but not limited to) (i) the Collateral and (ii) assets described in any and all previous filings made with the United States Department of Commerce, Patent and Trademark Office, including (but not limited to) the Notices of Recordation of Assignments listed in Exhibit I hereto.
2. SAIC Acknowledgement. SAIC hereby acknowledges and agrees that Conita may make any and all necessary filings with the appropriate governmental agencies in order to terminate any and all filings previously made in connection with the security interests or other lien rights referenced above. SAIC hereby further acknowledges that, other than as explicitly set forth in the Pledge Agreement, SAIC has no security interest or lien right in or to any asset of Conita as of the date of this Release Agreement.
3. Asset Sale. Promptly following the date hereof, Conita will consummate the transactions contemplated by the Agreement for the Purchase and Sale of Assets, dated as of May 2, 2002, by and between Conita and Avaya Inc. (the "Purchase Agreement"). SAIC's obligations hereunder are subject to, and conditioned upon, the consummation of the Closing (as defined in the Purchase Agreement) and, if the Closing Date (as defined in the Purchase Agreement) does not occur by May 7, 2002, this Agreement will automatically terminate and

be of no further force or effect. This Agreement is also conditioned upon all parties hereto executing this Agreement.

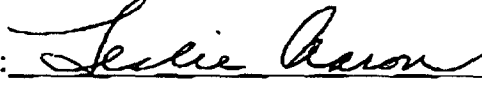
4. Further Assurances. The parties hereto shall cooperate with each other and execute and deliver, or cause to be executed and delivered, all such additional instruments and take all such other actions as may reasonably be requested from time to time in order to effectuate the provisions and purposes of this Agreement.

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the parties hereto as of the date first above written.

CONITA TECHNOLOGIES, INC.

By:   
Name: JEFFREY F. MCELROY  
Title: PRESIDENT + CEO

SCIENCE APPLICATIONS INTERNATIONAL CORPORATION

By:   
Name: Leslie Aaron  
Title: Vice President for Administration and Procurement Manager

**EXHIBIT I to RELEASE AGREEMENT**

**NOTICES OF RECORDATION OF ASSIGNMENTS**

Notice of Recordation of Assignment Document Reel/Frame No. 011652/0124 filed with the United States Department of Commerce Patent and Trademark Office on March 28, 2001, by Science Applications International Corporation.

Notice of Recordation of Assignment Document Reel/Frame No. 002267/0728 filed with the United States Department of Commerce Patent and Trademark Office on March 28, 2001, by Science Applications International Corporation.