

06-05-2002

FORM PTO-1594  
(Rev 5-93)



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner

102111870

...ed original documents or copy thereof.

65-85

6-5-02

1. Name of conveying party(ies):  
 COMERICA BANK-CALIFORNIA,  
 As successor in interest to IMPERIAL BANK

Individual(s) citizenship:  
 Association:  
 General Partnership:  
 Limited Partnership:  
 Corporation - State:  
 Other: California banking corporation

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

3. Nature of Conveyance:  
 [ ] Assignment [ ] Merger  
 [ ] Security Agreement [ ] Change of Name  
 [x] Other **Reassignment and Release of Security Interest**

Execution Date: June 3, 2002

2. Name and address of receiving party(ies):  
 Name: SKYDESK, INC.  
 Address: 12348 HIGH BLUFF DRIVE  
 City: SAN DIEGO State: CA Zip: 92130

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 [x] No

4. Application number(s) or trademark number(s):  
 A. Trademark Application No.(s)  
~~76/000,839~~ 76/000,838  
~~76/596,187~~ 76/596,186

Additional numbers attached? [ ] Yes [X] No

B. Trademark Registration No.(s)  
 2,145,298

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Erin O'Brien  
 Internal Address: **GRAY CARY WARE & FREIDENRICH**  
 4365 Executive Drive, Suite 1100  
 San Diego, CA 92121-2133

6 Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41) . . . . . \$140.00  
 [x] 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.

Erin O'Brien *Erin O'Brien* June 4, 2002  
 Name of Person Signing Signature Date

Total number of pages comprising cover sheet: [ 3 ]

Mail Documents to be recorded with required cover sheet information to:  
 U.S. Patent and Trademark Office, Office of Public Records  
 1213 Jefferson Davis Highway, 3rd Floor  
 Arlington, VA 22202

06/05/2002 6TOM11 00000175 76000839

01 FC:481 40.00 DP  
 02 FC:482 100.00 DP

PA\10238160.1  
1090371-947300

TRADEMARK  
REEL: 2518 FRAME: 0510

REASSIGNMENT AND RELEASE OF SECURITY INTEREST

This Reassignment and Release of Security Interest is made as of June 3, 2002 by COMERICA BANK-CALIFORNIA, as successor in interest to IMPERIAL BANK ("LENDER") to SKYDESK, INC., a Delaware corporation, with its principal place of business at 12348 High Bluff Drive, San Diego, CA 92130 ("COMPANY").

Recital

WHEREAS, COMPANY assigned certain interests in the trademarks described on Exhibit A (the "Trademarks") to LENDER under an Intellectual Property Security Agreement dated as of September 29, 2000 and recorded with the U.S. Patent and Trademark Office on October 23, 2000 at Reel Number 2172 and Frame Number 0907; and


WHEREAS, COMPANY has satisfied all its obligations to LENDER in the Intellectual Property Security Agreement, and LENDER wishes to reassign all interest that LENDER may have in the Trademarks.

Agreement

Now therefore, LENDER agrees that it releases its security interest in the Trademarks and reassigns to COMPANY, without warranty or recourse, all interest of LENDER in the Trademarks.

LENDER:

COMERICA BANK-CALIFORNIA,  
As successor in interest to IMPERIAL BANK

  
\_\_\_\_\_  
Signature

Name: PETER M. DREES

Title: VICE PRESIDENT

Address: 226 Airport Parkway  
San Jose, CA 95110

EXHIBIT A

Trademarks

<u>Description</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>
SMARTCLONE	76-000,839	3/15/00
SKYFILER	76-000,838	3/15/00
SKYDESK	75-596,187	11/18/98
SKYDESK	75-596,186	3/1/00
@BACKUP	2,145,298	3/17/98
SKYDESK (Europe)	001183896	6/20/00
SMARTCLONE (Europe)	n/a	9/14/00
SKYFILER (Europe)	n/a	9/14/00

4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
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O) 858-638-6717  
F) 858-677-1477

OUR FILE NO. 1090371-947300

June 4, 2002

VIA FEDERAL EXPRESS

U.S. Patent and Trademark Office  
Office of Public Records  
1213 Jefferson Davis Highway, 3rd Floor  
Arlington, VA 22202

**Re: Conveying Party: Comerica Bank-California,  
as successor in interest to Imperial Bank  
Receiving Party: Skydesk, Inc.**

Dear Sir or Ms:

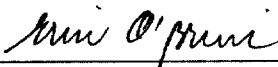
Enclosed please find the following documents:

1. Recordation Form Cover Sheet for Trademarks only;
2. Reassignment and Release of Security Interest by Comerica Bank-California, as successor in interest to Imperial Bank in favor of Skydesk, Inc.; and
3. A self-addressed postage paid postcard for your use to indicate your receipt of the enclosed documents.

Also included is a check to cover recordation fees. Please record these documents and return the original Notice of Recordation to me at the above-listed address after the release of the security interest has been recorded.

Sincerely,

**Gray Cary Ware & Freidenrich LLP**



Erin O'Brien, Paralegal  
eobrien@graycary.com

Enclosures

cc: Ms. Natalie M. Tangorra (w/enclosures)  
Mr. Piyush Sangani (w/enclosures)  
Troy M. Zander, Esq. (w/o enclosures)

Gray Cary\PA\10238168.1  
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