

06-28-2002

FORM PTO-1594

F

U.S. DEPARTMENT OF COMMERCE

(Rev. 03/01)

Patent and Trademark Office

OMB No. 0651-0027 (exp. 05/31/2002)



102139251

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

<p>1. Name of conveying party(ies): <b>Paratek Microwave, Inc.</b></p> <p><input type="checkbox"/> Individual(s)                      <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership              <input type="checkbox"/> Limited Partnership  <input checked="" type="checkbox"/> Corporation-State  <input type="checkbox"/> Other</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>6-25-02</p>	<p>2. Name and address of receiving party(ies): Name: <b>Silicon Valley Bank</b> Internal Address: HA155 Street Address: 3003 Tasman Drive City: Santa Clara                      State: CA                      ZIP: 95054</p>
<p>3. Nature of conveyance:</p> <p><input type="checkbox"/> Assignment                      <input type="checkbox"/> Merger  <input checked="" type="checkbox"/> Security Agreement              <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p> <p>Execution Date: April 16, 2002</p>	<p><input type="checkbox"/> Individual(s) citizenship  <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership  <input type="checkbox"/> Limited Partnership  <input checked="" type="checkbox"/> Corporation-State <u>Delaware</u>  <input type="checkbox"/> Other</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No  Additional name(s) &amp; address(es) attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

4. Application number(s) or registration number(s):

<p>A. Trademark Application No.(s) <b>76,040,697</b></p>	<p>B. Trademark No.(s)</p>
<p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <b>Silicon Valley Bank</b> Internal Address: Loan Documentation HA155 Street Address: 3003 Tasman Dr. City: Santa Clara                      State: Ca                      ZIP: 95054</p>	<p>6. Total number of applications and registrations involved: <b>1</b></p> <p>7. Total fee (37 CFR 3.41):                      \$40  <input checked="" type="checkbox"/> Enclosed  <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: (Attach duplicate copy of this page if paying by deposit account)</p>
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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.

**Janice Chua**                                           **6/18/02**  
Name of Person Signing                      Signature                      Date

06/28/2002 LNUELLER 00000003 76040697

01 FC:481

Total number of pages including cover sheet, attachments, and document: 40-00700

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

TRADEMARK REEL: 002533 FRAME: 0691

**Additional name of receiving party:**

Name : GATX Ventures, Inc.  
Address : 3687 Mount Diablo Boulevard Suite 200  
Lafayette, CA 94549  
Type of entity : Corporation - Delaware

## INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement is entered into as of ~~March~~ <sup>April 16</sup> \_\_\_\_, 2002 by and among **GATX VENTURES, INC.** (f/k/a MEIER MITCHELL & COMPANY), as agent ("**Agent**") and as a lender, and **SILICON VALLEY BANK**, as payment agent and a Lender (collectively, "**Lenders**") and **PARATEK MICROWAVE, INC.** ("**Grantor**").

### RECITALS

A. Lenders have made certain advances of money and to extend certain financial accommodation to Grantor (the "Loans") in the amounts and manner set forth in that certain Loan and Security Agreement by and among Banks and Grantor dated June 28, 2000 (as the same may be amended, modified or supplemented from time to time, the "Loan Agreement"; capitalized terms used herein are used as defined in the Loan Agreement). Pursuant to Section 4.8 of the Loan Agreement, the Grantor has granted to Agent for the benefit of Lenders a security interest in certain Copyrights, Trademarks and Patents to secure the obligations of Grantor under the Loan Agreement.

B. Pursuant to the terms of Section 4.8 of the Loan Agreement, Grantor has agreed to deliver this Agreement to the Lenders.

C. Grantor has agreed to restate the grant of security interest in the Loan Agreement as set forth below.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and intending to be legally bound, as collateral security for the prompt and complete payment when due of its obligations under the Loan Agreement, Grantor hereby represents, warrants, covenants and agrees as follows:

### AGREEMENT

To secure its obligations under the Loan Agreement, Grantor grants and pledges to Lenders and Agent for the benefit of Lenders a security interest in all of Grantor's right, title and interest in, to and under its Intellectual Property Collateral (including without limitation those Copyrights, Patents and Trademarks listed on Schedules A, B and C hereto), and including without limitation all proceeds thereof (such as, by way of example but not by way of limitation, license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, all rights corresponding thereto throughout the world and all re-issues, divisions continuations, renewals, extensions and continuations-in-part thereof.

This security interest is granted in conjunction with the security interest granted to Lenders and Agent for the benefit of Lenders under the Loan Agreement. The rights and remedies of the Agent and each Lender with respect to the security interest granted hereby are in addition to those set forth in the Loan Agreement and the other Loan Documents, and those which are now or hereafter available to Agent and Lenders as a matter of law or equity. Each right, power and remedy of Agent and Lenders provided for herein or in the Loan Agreement or any of the Loan Documents, or now or hereafter existing at law or in equity shall be cumulative and concurrent and shall be in addition to every right, power or remedy provided for herein and the exercise by Agent and Lenders of any one or more of the rights, powers or remedies provided for in this Intellectual Property Security Agreement, the Loan Agreement or any of the other Loan Documents, or now or hereafter existing at law or in equity, shall not preclude the simultaneous or later exercise by any Person, including Agent and Lenders, of any or all other rights, powers or remedies.

The first sentence of section 4.1 of the Loan Agreement shall be amended and restated to read in its entirety as follows: "Borrower grants to Lenders and Agent, on behalf and for the benefit of Lenders, a valid, first priority, continuing security interest in all presently existing and hereafter acquired or arising Collateral in order to secure prompt, full and complete payment of any and all Obligations and in order to secure prompt, full and complete performance by Borrower of each of its covenants and duties under each of the Loan Documents."

IN WITNESS WHEREOF, the parties have cause this Intellectual Property Security Agreement to be duly executed by its officers thereunto duly authorized as of the first date written above.

Address of Grantor:

PARATEK MICROWAVE, INC., as Grantor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: *James C. Sengupta*  
Title: *CTO & Chairman*

Attn: \_\_\_\_\_

Address of GATX Ventures, Inc.:

GATX VENTURES, INC.,  
(f/k/a Meier Mitchell & Company),  
as Agent and a Lender

3687 Mt. Diablo Blvd., Suite 200  
Lafayette, California 94549  
Attn: Contract Administration

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

With a Copy to:  
GATX Venture, Inc.  
16 Munson Road  
Farmington, Connecticut 06032

Address of Silicon Valley Bank:

SILICON VALLEY BANK,  
as Payment Agent and a Lender

3003 Tasman Drive  
Santa Clara, CA 95054-1191

By: *Deather Christian*  
Title: *Vice President*

Attn: \_\_\_\_\_

IN WITNESS WHEREOF, the parties have cause this Intellectual Property Security Agreement to be duly executed by its officers thereunto duly authorized as of the first date written above.

Address of Grantor:

PARATEK MICROWAVE, INC., as Grantor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

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

Attn: \_\_\_\_\_

Address of GATX Ventures, Inc.:

GATX VENTURES, INC.,  
(f/k/a Meier Mitchell & Company),  
as Agent and a Lender

3687 Mt. Diablo Blvd., Suite 200  
Lafayette, California 94549  
Attn: Contract Administration

By: Carl F. [Signature]

Title: VP

With a Copy to:  
GATX Venture, Inc.  
16 Munson Road  
Farmington, Connecticut 06032

Address of Silicon Valley Bank:

SILICON VALLEY BANK,  
as Payment Agent and a Lender

3003 Tasman Drive  
Santa Clara, CA 95054-1191

By: \_\_\_\_\_

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

Attn: \_\_\_\_\_

EXHIBIT A

Copyrights

Description

Registration/  
Application  
Number

Registration/  
Application  
Date

EXHIBIT B

Patents

Description

Registration/  
Application  
Number

Registration/  
Application  
Date

Paratek Microwave, Inc.  
Patent Portfolio

Disclosure	Attorney Handling Case	Provisional Application Title (Traditional U.S. Application Title)	Provisional Appl. Number (Filed)	Traditional U.S. Appl. Number (Filed)	Action	PCT Appl. Number (Filed)
1	R. P. Lenart	Microwave Dielectric Substrate (Voltage Tunable Laminated Dielectric Materials for Microwave Applications)	60/104,503 (10/16/98)	09/419,047 (10/15/99) ✓	Notice of Allowance Received. Issue fee paid.	PCT/US99/241 (10/15/99)
2	R. P. Lenart	Planar Varactors and Tunable Devices Constructed Thereof (Voltage Tunable Varactors and Tunable Devices Including Such Varactors)	60/104,504 (10/16/98)	09/419,126 (10/15/99) ✓	Second Office Action Received. Response filed 01/09/02.	PCT/US99/241 (10/15/99)
3	R. P. Lenart	Ferroelectric Varactor with Built-In DC Blocks (Ferroelectric Varactor with Built-In DC Blocks)	60/107,684 (11/09/98)	09/434,433 (11/04/99) ✓	Response to Office Action filed 11/13/01.	PCT/US99/261 (11/04/99)
4	R. P. Lenart	Electrically Tunable Filter Network with Ferroelectric Varactor (Electrically Tunable Filters with Dielectric Varactors)	60/111,888 (12/11/98)	09/457,943 (12/09/99) ✓	Final Office Action Received. Response due 06/01/02.	PCT/US99/292 (12/09/99)
5	R. P. Lenart	Voltage Tuned Coplanar Phase Shifters (Voltage Tunable Coplanar Phase Shifters)	60/150,618 (08/24/99)	09/644,019 (08/22/00) ✓	Restriction Requirement Received. Response filed.	PCT/US00/230 (08/22/00)
6	R. P. Lenart	Serially-Fed Phase Array Antennas with Tuned Phase Shifters (Serially-Fed Phased Array Antennas with Dielectric Phase Shifters)	60/153,859 (09/14/99)	09/660,719 (09/13/00) ✓	Notice of Allowance Received. Issue fee paid.	PCT/US00/250 (09/13/00)
7	R. P. Lenart	Microstrip Tunable Filters Tuned by Dielectric Varactors (Microstrip Tunable Filters Tuned by Dielectric Varactors)	60/163,498 (11/04/99)	09/704,850 (11/02/00) ✓	Office Action Due 04/09/02.	PCT/US00/302 (11/02/00)
8	R. P. Lenart	RF/Microwave Tunable Delay Line (RF/Microwave Tunable Delay Line)	60/166,267 (11/18/99)	09/712,606 (11/14/00)	Response to Office Action filed 02/13/02.	PCT/US00/312 (11/14/00)



Disclosure	Attorney Handling Case	Provisional Application Title (Traditional U.S. Application Title)	Provisional Appln. Number (Filed)	Traditional U.S. Appln. Number (Filed)	Action	PCT Appln. Number (Filed)
9	A. G. Towner	Method for Processing of Thick Films of Voltage Tunable Dielectrics	60/211,788 (06/15/00)	09/882,605 (06/15/01)	Awaiting first Office Action	PCT/US01/191 (06/15/01)
10	A. G. Towner	(New Tunable Low Loss Ceramic Composites Compounds Based on a Barium Strontium Titanate $M_2Si_2O_7$ System)	n/a	09/594,837 (06/15/00)	Office Action Due by 02/01/02 (with 1-mo. PET)	PCT/US01/185 (06/08/01)
11	R. P. Lenart	Waveguide-Finline Tunable Phase Shifter	60/198,690 (04/20/00)	09/838,483 (04/19/01)	Awaiting first Office Action	PCT/US01/127 (04/19/01)
12	R. P. Lenart	(Dynamically Reconfigurable Wireless Network)	n/a	09/620,776 (07/21/00)	Awaiting first Office Action	PCT/US01/234 (08/14/01)
13	R. P. Lenart	Microstrip Phase Shifter	60/201,203 (05/02/00)	09/847,254 (05/02/01)	Awaiting first Office Action	PCT/US01/141 (05/02/01)
14	R. P. Lenart	(Phase Array Antennas Incorporating Novel Voltage-Tunable Phase Shift Elements)	n/a	09/621,183 (07/21/00)	Response to Office Action filed 12/07/01	PCT/US01/236 (08/16/01)
15	R. P. Lenart	Voltage-Tuned Dielectric Varactors with Bottom Electrodes	60/201,349 (05/02/00)	09/844,832 (04/27/01)	Notice of Allowance Received. Issue fee due 05/01/02.	PCT/US01/136 (04/27/01)
16	R. P. Lenart	(Electronic Tunable Filters With Dielectric Varactors)	n/a	09/734,969 (12/12/00)	Awaiting first Office Action	PCT/US01/435 (11/21/01)
17	R. P. Lenart	(Dielectric Varactors with Offset Two-Layer Electrodes)	n/a	09/660,309 (09/12/00)	Notice of Allowance Received. Issue fee paid.	PCT/US01/285 (09/12/01)
18	R. P. Lenart	Tunable Dielectric Device for VCO Application (Voltage Controlled Oscillators Including Tunable Dielectric Devices)	60/219,567 (07/20/00)	09/908,960 (07/19/01)	Awaiting first Office Action	PCT/US01/226 (07/19/01)
19	R. P. Lenart	Compact Auto-Adjusting Matching Circuit (Tunable Microwave Devices with Auto-Adjusting Matching Circuit)	60/219,500 (07/20/00)	09/909,187 (07/19/01)	Awaiting first Office Action	PCT/US01/226 (07/19/01)
20	A. G. Towner	(Electronically Tunable, Low-Loss Ceramic Materials Including a Tunable Dielectric Phase and Multiple Metal Oxide Phases)	n/a	09/768,690 (01/24/01)	Awaiting first Office Action	PCT/US02/____ (01/22/02)
21	R. P. Lenart	Electronically Tunable Coaxial Cavity Filters Tuned by Tunable Dielectric Capacitors	60/227,438 (08/22/00)	09/932,749 (08/17/01)	Awaiting first Office Action	PCT/US01/238 (08/17/01)
22	R. P. Lenart	Electronically Tunable RF Diplexers Tuned by Tunable Dielectric Capacitors	60/243,962 (10/26/00)	10/000,471 (10/24/01)	Awaiting first Office Action	PCT/US01/513 (10/25/01)
23	R. P. Lenart	Novel Channel Frequency Allocation Technique for Improving RF and Microwave Duplexers	60/245,538 (11/03/00)	10/000,490 (11/02/01)	Awaiting first Office Action	PCT/US01/455 (11/02/01)

Disclosure	Attorney Handling Case	Provisional Application Title (Traditional U.S. Application Title)	Provisional Appl. Number (Filed)	Traditional U.S. Appl. Number (Filed)	Action	PCT Appl. Number (Filed)
24	R. P. Lenart	Hybrid Resonator Microstrip Line Electrically Tunable Filter	60/248,479 (11/14/00)	10/010,891 (11/13/01)	Awaiting first Office Action	PCT/US01/470 (11/13/01)
25	R. P. Lenart	Electrically Tunable Notch Filter	60/254,841 (12/12/00)	10/013,265 (12/10/01)	Awaiting first Office Action	No Serial # yet (Filed 12/10/01)
26	R. P. Lenart	Waveguide to Microstrip Transition	60/257,312 (12/21/00)	10/025,311 (12/19/01)	Awaiting first Office Action	PCT/US01/490 (12/19/01)
27	A. G. Towner	Tape Casting Method for Making Low-Loss Tunable Ceramic Composites	n/a	09/834,327 (04/13/01)	Awaiting first Office Action	To be filed 04/13/02
28	A. G. Towner	(Strain-Relieved Tunable Dielectric Thin Films)	n/a	To be filed March 2002	n/a	To be filed 03/27/02
29	R. P. Lenart	Tunable RF Filters with Metalized Plastic Bodies	60/278,962 (03/27/01)	To be filed March 2002	Awaiting first Office Action	To be filed 05/15/02
30	R. P. Lenart	(Switched Charge Voltage Drive for Tunable Dielectric Applications)	n/a	09/855,949 (05/15/01)	Awaiting first Office Action	To be filed April 2002
31	R. P. Lenart	Harpin Microstrip Line Electrically Tunable Filters	60/284,369 (04/17/01)	To be filed April 2002	n/a	To be filed June 2002
32	A. G. Towner	Tunable Dielectric Compositions Including Low Loss Glass Frits	60/295,046 (06/01/01)	To be filed June 2002	n/a	To be filed 08/16/02
33	R. P. Lenart	Analog Rat-Race Phase Shifters Tuned By Dielectric Varactors	n/a	09/931,503 (08/16/01)	Awaiting first Office Action	To be filed 08/16/02
34	R. P. Lenart	Phased Array Antenna with Dielectrically Tunable Phase Shifters and Amplifiers	To be filed	To be filed	Waiting for information from inventors	n/a
35	R. P. Lenart	Phased Array Antenna with Voltage-Tunable Dielectric Phase Shifters and Horn-Reflector Radiating Elements	To be filed	To be filed	Waiting for information from inventors	n/a
36	R. P. Lenart	Phased Array Antenna Using Compact Modules Comprised of Radiating Elements and Voltage-Tunable Dielectric Phase Shifters	To be filed	To be filed	Waiting for design to be completed by Oct. 2002	n/a
37	R. P. Lenart	Coarse Voltage Control of Electronically Tunable Components	To be filed	To be filed	Waiting for information from inventors	n/a
38	R. P. Lenart	Farfield Calibration Method Used for Electronically Scanning Antennas Containing Tunable Phase Shifters	60/314,369 (08/23/01)	To be filed August 2002	n/a	To be filed August 2002
39	R. P. Lenart	Dynamic Multi-Beam Antenna Using Dielectrically Tunable Phase Shifters	60/315,199 (08/17/01)	To be filed August 2002	n/a	To be filed August 2002
40	R. P. Lenart	Calibration Method Used for Electronically Scanning Antennas Containing Tunable Phase Shifters Utilizing a Near-Field Antenna Range	60/314,368 (08/23/01)	To be filed August 2002	n/a	To be filed August 2002
Disclosure	Attorney Handling Case	Provisional Application Title (Traditional U.S. Application Title)	Provisional Appl. Number (Filed)	Traditional U.S. Appl. Number (Filed)	Action	PCT Appl. Number (Filed)
41	R. P. Lenart	Thermally Controlled Tunable Components	To be filed	To be filed	Waiting for information from	n/a

42	R. P. Lenart	Variable Power Dividers and Attenuators Using Dielectrically Tunable Phase Shifters		To be filed	inventors	n/a
43	R. P. Lenart	GSM Radio Resource Management Using Antennas Having Broad And Narrow Beam Patterns	60/323, 729 (09/20/01) ✓	To be filed September 2002	Waiting for information from inventors	n/a
44	R. P. Lenart	Tunable Filters Having Variable Bandwidth and Variable Delay		To be filed	Waiting for information from inventors	n/a
45	R. P. Lenart	Dynamic Antenna With Multiple Independently Steerable Beams Using Electronically Controllable Phase Shifters		10/051,144 (01/17/02) ✓	Awaiting first Office Action.	n/a
46	R. P. Lenart	Electronically Tunable Combline Filter With Asymmetric Response				

EXHIBIT C

Trademarks

Description

Registration/  
Application  
Number

Registration/  
Application  
Date

**Word Mark** ETRF  
**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Electrical apparatus, namely, tunable filters, phase shifters, delay lines, electronically scanning antennas, voltage controlled oscillators and resonators incorporating dielectric materials

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 76040697

**Filing Date** May 4, 2000

**Filed ITU** FILED AS ITU

**Published for Opposition** December 18, 2001

**Owner** (APPLICANT) **Paratek** Microwave, Inc. CORPORATION  
MARYLAND 6935-N Oakland Mills Road Columbia MARYLAND  
21045

**Attorney of Record** Alan G. Towner

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

**Word Mark** PARASCAN

**Goods and Services** (ABANDONED) IC 009. US 021 023 026 036 038. G & S: Dielectric oxide ceramic materials sold as a component of antennas, resonators, varistors, varactors, tunable filters and phase shifters

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 75541030

**Filing Date** August 21, 1998

**Filed ITU** FILED AS ITU

**Published for Opposition** March 21, 2000

**Owner** (APPLICANT) **Paratek**, Inc. CORPORATION MARYLAND 1202  
Technology Drive Suite C Aberdeen MARYLAND 21001

**Attorney of Record** Alan G. Towner

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** June 14, 2001

**Word Mark** PARATEK

**Goods and Services** (ABANDONED) IC 042. US 100 101. G & S: Research and development, component development, and prototyping related to antennas, resonators, varistors, tunable filters and phase shifters incorporating dielectric oxide material components. FIRST USE: 19980600. FIRST USE IN COMMERCE: 19980600

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 75541031

**Filing Date** August 21, 1998

**Filed ITU** FILED AS ITU

**Published for Opposition** May 2, 2000

**Owner** (APPLICANT) **Paratek**, Inc. CORPORATION MARYLAND 1202  
Technology Drive Suite C Aberdeen MARYLAND 21001

**Attorney of Record** Alan G. Towner

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** January 26, 2001