

07-26-2002

Form PTO-1594

R

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings ⇨ ⇨ ⇨ ▼



102169388

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

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

1. Name of conveying party(ies):  
**Silicon Energy Corp.**

7-22-02

☐ 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 \_\_\_\_\_Execution Date: 7/12/02

2. Name and address of receiving party(ies)

Name: **JMI Associates III, L.L.C.**Internal **Suite 200**

Address: \_\_\_\_\_

Street Address: **12680 High Bluff Drive**City: **San Diego** State: **CA** Zip: **92130**☐ Individual(s) citizenship \_\_\_\_\_☐ Association \_\_\_\_\_☐ General Partnership \_\_\_\_\_☐ Limited Partnership \_\_\_\_\_☐ Corporation-State \_\_\_\_\_☒ Other **Limited Liability Corporation**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)

**76/118,728**

B. Trademark Registration No.(s)

**2,402,546****2,408,526****2,366,925**Additional number(s) attached ☐ Yes ☒ No

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

Name: **Miguel Danielson**Internal Address: **Testa, Hurwitz & Thibault,**  
**LLP**Street Address: **High Street Tower**  
**125 High Street**City: **Boston** State: **MA** Zip: **02110**6. Total number of applications and registrations involved: 47. Total fee (37 CFR 3.41).....\$ **115.00**☒ 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.

**Miguel Danielson, Esq.**

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 5Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

07/25/2002 T1A21 00000235 76118728

01 FC:481  
02 FC:48240.00 00  
75.00 00TRADEMARK  
REEL: 002550 FRAME: 0620

# GRANT OF SECURITY INTEREST

## TRADEMARKS

THIS GRANT OF SECURITY INTEREST, dated as of July 12, 2002, is executed by Silicon Energy Corp., a Delaware corporation ("Debtor"), in favor of JMI Associates III, L.L.C. ("Secured Party") on behalf of the purchasers listed on the signature page to the Security Agreement, dated as of the date hereof, by and among Debtor, such purchasers and Secured Party (the "Security Agreement").

A. Debtor has adopted, used and is using the trademarks, more particularly described on Schedule 1 annexed hereto as part hereof, which trademarks are registered or subject to an application for registration in the United States Patent and Trademark Office (collectively, the "Trademarks");

B. Schedule 1 hereof constitute a complete list, as of the date hereof, of registrations or applications for registrations of Trademarks in or to which Debtor has any right, title, interest, claim or demand;

C. The terms and provisions of the Security Agreement are hereby incorporated herein as if fully set forth herein;

D. Debtor hereby grants to Secured Party a security interest in all right, title and interest of Debtor in and to the Trademarks, together with the goodwill of the business symbolized by the Trademarks and the customer lists and records related to the Trademarks and the applications and registrations thereof, and all proceeds thereof, including any and all causes of action which may exist by reason of infringement thereof (the "Collateral"), to secure the payment, performance and observance of the Obligations, as defined in the Security Agreement;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Debtor does hereby further grant to Secured Party 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 Party with respect to the security interest in the Collateral granted hereby are more fully set forth in the Security Agreement, and are in addition to (and not in lieu of) those in the Security Agreement.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

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

SILICON ENERGY CORP.

By: 

John Wooldard

President and Chief Executive Officer

SCHEDULE 1 TO GRANT OF SECURITY INTEREST

TRADEMARKS

<u>Country:</u> Australia	<u>Classes</u>	<u>Status</u>	<u>App. #</u>	<u>App. Dt</u>	<u>Reg. #</u>	<u>Reg. Dt</u>
<u>Mark</u> EEM SUITE	9	Registered	861862	08/23/2000	861862	06/13/2001
MYBUILDING.COM	42	Registered	835936	05/19/2000	835936	06/13/2001
SILICON ENERGY	9	Registered	842695	07/14/2000	842695	05/31/2001

<u>Country:</u> Brazil	<u>Classes</u>	<u>Status</u>	<u>App. #</u>	<u>App. Dt</u>	<u>Reg. #</u>	<u>Reg. Dt</u>
<u>Mark</u> EEM SUITE	9	Dispatched				
SILICON ENERGY	9	Dispatched				
SILICON ENERGY LOGO (Design)	9	Dispatched				

<u>Country:</u> Canada	<u>Classes</u>	<u>Status</u>	<u>App. #</u>	<u>App. Dt</u>	<u>Reg. #</u>	<u>Reg. Dt</u>
<u>Mark</u> EEM SUITE		Pending Application	1087905	12/23/2000		
SILICON ENERGY		Pending Application	1066903	07/13/2000		

<u>Country:</u> European Union	<u>Classes</u>	<u>Status</u>	<u>App. #</u>	<u>App. Dt</u>	<u>Reg. #</u>	<u>Reg. Dt</u>
<u>Mark</u> EEM SUITE	9	Published	2030690	01/08/2001		11/20/2001
MYBUILDING.COM	38, 39, 42	Registered	1668946	05/22/2000	001668946	11/20/2001
SILICON ENERGY	9, 16, 42	Registered	1754951	07/13/2000	1754951	
SILICON ENERGY LOGO (Design)	9, 16, 42	Pending Application	02199180	04/27/2001		

<u>Country:</u> Japan	<u>Classes</u>	<u>Status</u>	<u>App. #</u>	<u>App. Dt</u>	<u>Reg. #</u>	<u>Reg. Dt</u>
<u>Mark</u> EEM SUITE	9	Published	2001-93691	10/18/2001		
SILICON ENERGY	9	Published	2001-93689	10/18/2001		
SILICON ENERGY LOGO (Design)	9	Published	2001-93690	10/18/2001		

TRADEMARK

REEL: 002550 FRAME: 0623

SCHEDULE 1 TO GRANT OF SECURITY INTEREST

TRADEMARKS

<u>Country:</u> <u>Mark</u> EEM SUITE SILICON ENERGY SILICON ENERGY LOGO (Design)	Mexico	<u>Classes</u> 9 9 9	<u>Status</u> Pending Application Pending Application Pending Application	<u>App. #</u> 520993 520992 520994	<u>App. Dt</u> 12/03/2001 12/03/2001 12/03/2001	<u>Reg. #</u>	<u>Reg. Dt</u>
<u>Country:</u> <u>Mark</u> EEM SUITE SILICON ENERGY	New Zealand	<u>Classes</u> 9 9	<u>Status</u> Registered Registered	<u>App. #</u> 629715 618780	<u>App. Dt</u> 08/23/2000 07/13/2000	<u>Reg. #</u> 629715 618780	<u>Reg. Dt</u> 08/23/2000 07/13/2000
<u>Country:</u> <u>Mark</u> EEM SUITE SILICON ENERGY	Switzerland	<u>Classes</u> 9 9	<u>Status</u> Registered Registered	<u>App. #</u> 00329/2001 10852/2000	<u>App. Dt</u> 01/12/2001 09/12/2000	<u>Reg. #</u> 492,065 481.833	<u>Reg. Dt</u> 01/12/2001 09/12/2000
<u>Country:</u> <u>Mark</u> EEM SUITE MISCELLANEOUS DESIGN MYBUILDING.COM SILICON ENERGY	United States	<u>Classes</u> 9 9 42 9	<u>Status</u> Published Registered Registered Registered	<u>App. #</u> 76/118728 75/523089 75/856960 75/495982	<u>App. Dt</u> 08/23/2000 07/21/1998 11/23/1999 06/04/1998	<u>Reg. #</u> 2402546 2408526 2366925	<u>Reg. Dt</u> 11/07/2000 11/28/2000 07/11/2000

TRADEMARK

REEL: 002550 FRAME: 0624

RECORDED: 07/22/2002