5-29-03

Form PTO-1594
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05-29-2003

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

Tab settings → → →

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

1. Name of conveying party(ies):

Bank of America, N.A., as Administrative Agent

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

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

2. Name and address of receiving party(ies):

Name: Serologicals Discovery Products, LLC formerly known as Intergen Discovery Products, LLC

Internal Address:

Street Address: 202 Perry Parkway

City: Gaithersburg State: MD ZIP: 20877

☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☐ Corporation-State
☒ Other Delaware Limited Liability Company

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No
(Designation must be a separate document from Assignment)

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Termination and Release of Security Interest in Trademark Rights

Execution Date: April 4, 2003

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,908,017 ; 2,110,785 ; 2,290,420 ; 1,450,227 ; 1,754,716 ; 2,104,186

Additional number(s) attached? ☐ Yes ☒ No

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

Name: Robyn Rahbar, Esq.

Internal Address: Simpson Thacher & Bartlett

Street Address: 425 Lexington Avenue

City: New York State: NY ZIP: 10017

6. Total number of applications and registrations involved: 6

7. Total fee (37 CFR 3.41): .....$ 165.00

☐ Enclosed
☒ Authorized to be charged to ~~deposit account~~ credit card

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

05/30/2003 TDIAZ1 00000003 1908017
01 FC:8521 40.00 OP
02 FC:8522 125.00 OP

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.

Robyn Rahbar, Esq.
Name of Person Signing

Signature

5/28/03
Date

Total number of pages including cover sheet, attachments, and document: 12

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

TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARK RIGHTS

TERMINATION AND RELEASE dated as of April 4, 2003, from BANK OF AMERICA, N.A., as Administrative Agent (the "Agent") for certain banks and other financial institutions (the "Lenders"), to SEROLOGICALS ROYALTY COMPANY, a Delaware corporation ("Royalty"), SEROLOGICALS DISCOVERY PRODUCTS, LLC, formerly known as Intergen Discovery Products, LLC, a Delaware limited liability company ("Discovery"), SEROLOGICALS BIODIAGNOSTICS, INC., formerly known as Biovest, Inc., a Massachusetts corporation ("Biodiagnostics"), and SEROCOR INCORPORATED, a Delaware corporation ("Serocor"; together with Royalty, Discovery, and Biodiagnostics, collectively, the "Grantors").

WITNESSETH:

WHEREAS, pursuant to the Third Amended and Restated Trademark Collateral Assignment and Security Agreement, dated as of April 25, 2002, made by the Grantors in favor of the Agent (the "Trademark Agreement") and the Third Amended and Restated Security Agreement dated as of April 25, 2002 made in favor of the Agent, the Grantors and others ("Security Agreement" and together with the Trademark Agreement, collectively, the "Collateral Agreements"), the Grantors granted a security interest (the "Security Interest") to the Agent in certain Trademark Collateral;

WHEREAS, the Trademark Agreement was recorded in the Trademark Division of the United States Patent and Trademark Office (i) with respect to Serologicals Royalty Company on May 31, 2002, at Reel 002519 and Frame 0499, (ii) with respect to Serocor Incorporated on May 31, 2002, at Reel 002585 and Frame 0309, (iii) with respect to Biovest, Inc. on September 16, 2002, at Reel 002585 and Frame 0696, and (iv) with respect to Intergen Discovery Products, LLC on May 21, 2002, at Reel 002519 and Frame 0380; and

WHEREAS, the Agent now desires to terminate and release the entirety of its Security Interest in the Trademark Collateral;

NOW, THEREFORE, for good and valuable consideration including the satisfaction of all obligations, indebtedness and liabilities secured by the Trademark Collateral pursuant to the Collateral Agreements, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination and Release, the Agent hereby states as follows:

1. Definitions. The term "Trademark Collateral," as used herein, shall mean all of the Grantors' right, title and interest of every kind and nature as of the date hereof in the Trademarks Collateral (as defined in the Trademark Agreement) including, without limitation, those items listed on Schedule A hereto.

2. Release of Security Interest. The Agent hereby terminates, releases and discharges its Security Interest in the Trademark Collateral, and any right, title or interest of the Agent in such Trademark Collateral shall hereby cease and become void.

3. Further Assurances. The Agent hereby agrees to duly execute, acknowledge, procure and deliver any further documents and to do such other acts as may be reasonably necessary to effect the release of the Security Interest contemplated hereby.

IN WITNESS WHEREOF, the undersigned has executed this Termination and Release by its duly authorized officer as of the date first above written.

BANK OF AMERICA, N.A., as Administrative Agent

By: _____
Name: KRISTINE THENNES
Title: Vice President

STATE OF Illinois)
) ss.:
COUNTY OF Cook)

On this 3RD day of April, 2003, before me personally appeared Kristine Thenner to me known who, being by me duly sworn, did depose and say that he/she is Vice President of Bank of America, N.A., described herein and which executed the foregoing instrument, and that he/she signed his/her name thereto pursuant to the authority granted by Bank of America, N.A.

Virginia Sheila Foulkes
Notary Public

(Affix Seal Below)

"OFFICIAL SEAL"
VIRGINIA SHEILA FOULKES
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES JUNE 10, 2006

Schedule A

See Attached

Schedule 1

Trademark Collateral

Serologicals Royalty Company

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
PENTEX	512,122	12/12/91	Australia
BIOSCOT	353,656	11/25/98	European Community
BIOSCOT	1,144,096	4/9/99	European Community
CREATING A HEALTHIER WORLD	1,144,070	4/9/99	European Community
MONOSERA	353,714	5/22/98	European Community
PENTEX	001142678	7/10/01	European Community
SEROLOGICALS	353,722	3/22/99	European Community
Serologicals Blood Drop and Heads Design	1,144,120	10/3/00	European Community
EX-CYTE	1,595,335	6/1/90	France
PENTEX	1,595,345	6/1/90	France
EX-CYTE	2,100,686	7/3/96	Germany
PENTEX	1,189,939	3/14/94	Germany
EX-CYTE	551138	10/16/91	Italy
PENTEX	600,362	7/12/93	Italy
BIOSCOT	2,536,890	2/5/02	U.S.
BIOSCOT	2,355,538	6/6/00	U.S.
CREATING A HEALTHIER WORLD	1,853,927	9/13/94	U.S.

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
CREATING A HEALTHIER WORLD	2,346,891	5/2/00	U.S.
EX-CYTE	1,805,674	11/23/93	U.S.
FIRST TIME QUALITY	78/091,350	11/1/01	U.S.
MOD-U-CYTE	1,310,621	12/25/84	U.S.
MONOSERA	76/051,583	5/18/00	U.S.
PATH-O-CYTE	701,172	7/19/60	U.S.
PENTEX	660,021	4/1/58	U.S.
PENTEX	602,094	2/15/55	U.S.
X SERAMED	75/170,442	9/23/96	U.S.
SERAMED	76/188,784	1/2/01	U.S.
Seramed's Human Figures and Blood Drop Design	76/051,871	5/18/00	U.S.
Seramed's Human Figures and Blood Drop Design	2,168,874	6/30/98	U.S.
SEROLOGICALS	2,050,106	4/8/97	U.S.
SEROLOGICALS	2,104,649	10/14/97	U.S.
SEROLOGICALS	2,048,023	3/25/97	U.S.
Serologicals Blood Drop and Heads Design	1,850,517	8/23/94	U.S.
Serologicals Blood Drop and Heads Design	2,346,900	5/2/00	U.S.
Serologicals Blood Drop and Heads Design	1,853,926	9/13/94	U.S.
EX-CYTE	1,345,074	5/18/90	United Kingdom

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
PENTEX	1,428,256	5/12/92	United Kingdom
PENTEX	1,428,255	6/12/92	United Kingdom

Serocor Incorporated

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
ADVANCED SEROCONVERSION PANELS	75/553,462	September 15, 1998	U.S.
AMPLIFLUOR	76/028,456	April 18, 2001	U.S.
AMPLIFLUOR	76/028,455	April 18, 2000	U.S.
AMPLIFLUOR	105,496,200	April 12, 2000	Canada
AMPLIFLUOR	1,590,231	April 4, 2000	CTM-Europe
AMPLIFLUOR	4,462,165	April 19, 2000	Japan
APOPNEXIN	2,073,689	March 18, 2000	Argentina
APOPNEXIN	2,073,690	March 18, 2000	Argentina
APOPNEXIN	820,038,415	August 26, 1997	Brazil
APOPNEXIN	820,039,407	August 26, 1997	Brazil
APOPNEXIN	970,042,044	May 5, 1997	China
APOPNEXIN	75/978,176	March 1, 1996	U.S.
APOPNEXIN	730,092	October 10, 1997	Australia
BOLD	76/258,985	May 18, 2001	U.S.
BOVUMINAR (and Design)	2,512,968	March 31, 1993	Japan

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
BOVUMINAR	1,693,856	June 16, 1992	U.S.
BOVUMINAR (and Design in Katakana)	2,512,969	March 31, 1993	Japan
CYTOKINE DIRECT	2,187,399	September 8, 1998	U.S.
CYTOKINE TOTAL	2,201,098	November 3, 1998	U.S.
INTERGEN BIODIAGNOSTICS	2,337,648	April 4, 2000	U.S.
INTERGEN DISCOVERY PRODUCTS	2,334,524	March 28, 2000	U.S.
INTERGEN LOGO	47,578,693	July 9, 1993	France
INTERGEN LOGO	2,070,327	July 7, 1994	Germany
INTERGEN LOGO	3,140,411	April 30, 1996	Japan
INTERGEN LOGO	1,632,808	January 29, 1991	U.S.
INTERGEN LOGO	414,425	July 2, 1993	Switzerland
INTERGEN NEO1 (also in Katakana)	2,587,853	October 29, 1993	Japan
LIPOCELL	1,833,055	April 26, 1994	U.S.
PUTTING DISCOVERY IN A WHOLE NEW LIGHT	2,359,219	June 20, 2000	U.S.
REHATUIN (and design)	2,512,966	March 31, 1993	Japan
REHATUIN	1,649,862	July 9, 1991	U.S.
REHATUIN (and design and in Katakana)	2,512,967	March 31, 1993	Japan

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
THE HEART OF DIAGNOSTICS AND RESEARCH	2,363,923	July 4, 2000	U.S.
TM BLUE	2,413,650	December 19, 2000	U.S.
WHERE THE SCIENCES COME TO LIFE	955,989	March 10, 2000	CTM-Europe
WHERE THE SCIENCES COME TO LIFE	2,271,575	August 24, 1999	U.S.
WHERE THE SCIENCES COME TO LIFE	123,126		Israel
WHERE THE SCIENCES COME TO LIFE	461,598	December 2, 1998	Switzerland
WHERE THE SCIENCES COME TO LIFE	1,002,298	December 2, 1990	Switzerland

Biovest, Inc.

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
AP PURPLE	1,774,802	June 8, 1993	U.S.
OPTI-MIST	1,666,413	December 3, 1991	U.S.

Intergen Discovery Products, LLC

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
APOPNEXIN	448,936	October 20, 1998	CTM-Europe
APOPNEXIN	TMA525,803	March 27, 2000	Canada

Trademark	Registration or Application Number	Registration or Filing Date	Country of Registration
APOPNEXIN (and design)	4,276,073	May 28, 1999	Japan
APOPNEXIN (and design)	4,276.074	May 28, 1999	Japan
APOPTAG	1,908,017	August 1, 1995	U.S.
APOPTEST	2,110,785	November 4, 1997	U.S.
CPG WIZ	2,290,420	November 2, 1999	U.S.
CPG WIZ	TMA543,997	April 23, 2001	Canada
CPG WIZ	658,609	February 27, 2001	CTM-Europe
CPG WIZ (and design)	4,428,803	October 27, 2000	Japan
HYBRISOL	1,450,227	August 4, 1987	U.S.
SURE BLOT	1,754,716	March 2, 1993	U.S.
TRAPEZE	2,104,186	October 7, 1997	U.S.
TRAPEZE	434,779	May 25, 1998	CTM-Europe
TRAPEZE (and design)	4,175,692	August 7, 1998	Japan
TRAPEZE	4,175,691	August 7, 1998	Japan

SIMPSON THACHER & BARTLETT
425 LEXINGTON AVENUE
NEW YORK, N.Y. 10017-3954
(212) 455-2000

FACSIMILE: (212) 455-2502

DIRECT DIAL NUMBER
(212) 455-2254

E-MAIL ADDRESS
RRahbar@stblaw.com

VIA EXPRESS MAIL

May 28, 2003

Re: Recordation of Termination and Release of Security Interest

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Assignment Division
1213 Jefferson Davis Hwy, 3rd Floor
Arlington, VA 22202

Dear Madam or Sir:

Enclosed for recording please find a Termination and Release of Security Interest in Trademarks Rights in favor of Serologicals Discovery Products, LLC, formerly known as Intergen Discovery Products, LLC, covering 6 U.S. trademarks.

Also completed and enclosed is form PTO-2038, authorizing credit card payment in the amount of $ 165.00 to cover the filing fee. Please return confirmation of this filing to me at my firm's address as listed above.

Thank you for your consideration.

Respectfully submitted,

Robyn Rahbar

Enclosures