

06-27-2003

6-26-03



FORM PTO-1594 (Rev 5-93) 6-26-03

102484774

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

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

|  |  |
|--|--|
| <p>1. Name of conveying party(ies):<br/>COMERICA BANK-CALIFORNIA</p> <p>Individual(s) citizenship:<br/>Association:<br/>General Partnership:<br/>Limited Partnership:<br/>Corporation - State:<br/>Other: California banking corporation</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of Conveyance:<br/><input type="checkbox"/> Assignment <input type="checkbox"/> Merger<br/><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name<br/><input checked="" type="checkbox"/> Other <b>Reassignment and Release of Security Interest</b></p> <p>Execution Date: June 20, 2003</p> | <p>2. Name and address of receiving party(ies):</p> <p>Name: ACTION ENGINE CORPORATION<br/>Address: 16150 NE 85TH STREET, SUITE 214<br/>City: REDMOND State: WA Zip: 98052</p> <p>Individual(s) citizenship:<br/>Association:<br/>General Partnership:<br/>Limited Partnership:<br/>Corporation - State: OREGON<br/>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<br/>(Designations must be a separate document from assignment)<br/>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
|--|--|

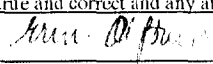
|  |   |
|--|---|
| <p>4. Application number(s) or trademark number(s):<br/>A. Trademark Application No.(s)<br/><b>See attached sheet.</b></p> | <p>B. Trademark Registration No.(s)</p> <p>Additional numbers attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> |
|--|---|

|   |   |
|---|---|
| <p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Erin O'Brien<br/>Internal Address: GRAY CARY WARE &amp; FREIDENRICH<br/>4365 Executive Drive, Suite 1100<br/>San Diego, CA 92121-2133</p> | <p>6 Total number of applications and registrations involved: 19</p> <p>7. Total fee (37 CFR 3.41) . . . . . \$490.00<br/><input checked="" type="checkbox"/> Enclosed<br/><input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number:<br/>(Attach duplicate copy of this page if paying by deposit account)</p> |
|---|---|

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  June 25, 2003  
Name of Person Signing Signature Date

Total number of pages comprising cover sheet: [ 4 ]

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

06/26/2003 DBYRNE 00000100 75743336  
01 FC:8521 40.00 DP  
02 FC:8522 450.00 DP

PAM0306991.1  
1090371-944600

TRADEMARK  
REEL: 002765 FRAME: 0309

## TRADEMARKS

| <u>Description</u>                       | <u>Registration/<br/>Application<br/>Number</u> | <u>Registration/<br/>Application<br/>Date</u> |
|--|---|---|
| VIVA E-SISTANT                           | 75/743,336                                      | 07/06/99                                      |
| E-SISTANT                                | 75/743,335                                      | 07/06/99                                      |
| ACTION ENGINE                            | 76/158,983                                      | 11/02/00                                      |
| ACTION ENGINE                            | 76/158,850                                      | 11/02/00                                      |
| E AND DESIGN                             | 76/158,853                                      | 11/02/00                                      |
| E AND DESIGN                             | 76/158,851                                      | 11/02/00                                      |
| E-SISTANT                                | 76/158,984                                      | 11/02/00                                      |
| E-SISTANT                                | 76/158,874                                      | 11/02/00                                      |
| ACTION MESSAGING                         | 76/172,833                                      | 11/27/00                                      |
| ACTION MESSAGING                         | 76/172,834                                      | 11/27/00                                      |
| YOUR REMOTE CONTROL FOR THE WIRELESS WEB | 76/196,584                                      | 01/19/01                                      |
| YOUR REMOTE CONTROL FOR THE WIRELESS WEB | 76/196,583                                      | 01/19/01                                      |
| ACTION BACKUP                            | 78/111,381                                      | 02/27/02                                      |
| ACTION CONFIGURE                         | 78/134,482                                      | 06/10/02                                      |
| ACTION ENGINE DRIVEN                     | 78/084,010                                      | 09/14/01                                      |
| ACTION LOCK                              | 78/111,374                                      | 02/24/02                                      |
| ACTION UPDATE                            | 78/137,710                                      | 06/21/02                                      |
| ACTION UPDATE                            | 78/134,514                                      | 06/10/02                                      |
| MY ACTION ENGINE                         | 78/083,994                                      | 09/14/01                                      |

REASSIGNMENT AND RELEASE OF SECURITY INTEREST

This Reassignment and Release of Security Interest is made as of June 20, 2003 by COMERICA BANK-CALIFORNIA ("LENDER") in favor of ACTION ENGINE CORPORATION, a Delaware corporation, with its principal place of business at 16150 NE 85th Street, Suite 214, Redmond, WA 98052 ("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 November 15, 2000 and recorded with the U.S. Patent and Trademark Office on November 22, 2000 at Reel Number 2181 and Frame Number 0427; January 11, 2001 at Reel Number 2209 and Frame Number 0891; April 18, 2001 at Reel Number 2272 and Frame Number 0922; and August 22, 2002 at Reel Number 2566 and Frame Number 0917; and

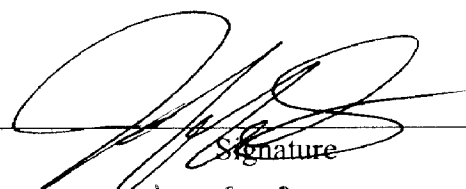
WHEREAS, COMPANY and LENDER have entered into that First Amendment to Loan and Security Agreement dated as of June 18, 2003 wherein LENDER has agreed to release its security interest in the Trademarks.

Agreement

Now therefore, LENDER hereby releases its security interest in the Trademarks and terminates, without warranty or recourse, all interest of LENDER in the Trademarks.

LENDER:

COMERICA BANK-CALIFORNIA,  
Successor in interest to Imperial Bank

  
Signature

Name: Jeff Roberts

Title: VP

Address: 9920 S. La Cienega Blvd., Suite 1401  
Inglewood, CA 90301

EXHIBIT A

Trademarks

| <u>Description</u>                       | <u>Registration/<br/>Application<br/>Number</u> | <u>Registration/<br/>Application<br/>Date</u> |
|--|---|---|
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| ACTION UPDATE                            | 78/137,710                                      | 06/21/02                                      |
| ACTION UPDATE                            | 78/134,514                                      | 06/10/02                                      |
| MY ACTION ENGINE                         | 78/083,994                                      | 09/14/01                                      |