

02-09-2004



<p>Form PRO-1596 (Rev. 1/03) OMB No. 0061-0027 (exp. 6/30/2005) Tab settings</p> <p>102630089 TRADEMARKS ONLY</p> <p>U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office</p>	
<p>To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.</p>	
<p>1. Name of conveying party(ies):</p> <p>GATX Ventures, Inc.</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 Delaware <input type="checkbox"/> Other</p> <p>Additional name(s) of conveying party(ies) attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies)</p> <p>Name: SBG Labs, Inc.</p> <p>Internal Address:</p> <p>Street Address: 1288 Hammerwood Avenue</p> <p>City: Sunnyvale State: CA Zip: 94089</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 California <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 checked="" type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other</p> <p>Execution Date: 10/16/2003</p>	<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s) 73579303, 78107776, 78107773, 78104184</p> <p>B. Trademark Registration No.(s)</p> <p>Additional number(s) 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: Josephine Cua</p> <p>Internal Address:</p> <p>Street Address: 1717 Embarcadero Road P.O. Box 51050</p> <p>City: Palo Alto State: CA Zip: 94303</p>	<p>6. Total number of applications and registrations involved: 4</p> <p>7. Total fee (37 CFR 3.41): \$ 115.00</p> <p><input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: 501493</p>
<p>9. Signature:</p> <p>Josephine Cua Name of Person Signing</p> <p> Signature</p> <p>11/07/03 Date</p> <p>Total number of items included in this sheet, attachments, and document: 157</p> <p>Mail documents to be recorded and required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments Washington, D.C. 20231</p>	

CH 115.00 501493 73579303

5,2004 .12:03PM RITCHEY FISHER WHITMAN & KLEIN
DEC 02 '03 03:31PM RITCHEY FISHER W&K
NOV 07 '03 03:00PM RITCHEY FISHER W&K

NO.822

P.6/20

P.5

P.2

TRADEMARK RECORDATION FORM COVER SHEET
PAGE 2 of 2

Name of Conveying Parties: GATX Ventures, Inc.
Transamerica Business Credit Corporation

Name of Receiving Party: SBG Labs, Inc.

Continuation of Item 1. Name of Conveying Party(ies)

Transamerica Business Credit Corporation
Corporation - State: Delaware

Short Form Patent and Trademark Assignment Agreement

This Short Form Patent and Trademark Assignment Agreement is made in connection with a private foreclosure sale under the California Uniform Commercial Code with respect to certain Purchased Assets collateral securing the obligations of DIGILENS, INC. ("*Debtor*") to GATX VENTURES, INC., individually and as agent for itself, Transamerica Technology Finance Corporation (as successor in interest to Transamerica Business Credit Corporation) and Silicon Valley Bank, and TRANSAMERICA TECHNOLOGY FINANCE CORPORATION, as successor in interest to Transamerica Business Credit Corporation, individually (collectively, "*Secured Parties*")

For, adequate consideration, receipt of which is acknowledged, received from SBG Labs, Inc., a California corporation (hereinafter the "*Buyer*"), Secured Parties (hereinafter the "*Sellers*") do hereby sell, transfer and assign to Buyer all of Debtor's right, title and interest, if any, in and to the following personal property (collectively the "*Purchased Assets*") attached hereto and incorporated herein:

- (a) the letters patent and/or applications for letters patent, of the United States, more particularly described on the Notice of Recordation of Assignment Documents annexed hereto as part hereof (collectively, the "*Patents*"), together with any reissue, continuation, continuation-in-part or extension thereof, and all proceeds thereof, including any and all causes of action which may exist by reason of infringement thereof for the full term of the Patents, and
- (b) the registered trademarks, service marks (and applications and registrations therefor), of the United States, more particularly described on Notice of Recordation of Assignment Documents annexed hereto as part hereof (collectively, the "*Trademarks*"), together with associated goodwill, and all proceeds thereof, including any and all causes of action which may exist by reason of infringement thereof for the full term of the Trademarks,
- (c) but specifically excluding any and all right, title and interest of Debtor in the litigation between Debtor and Intersense Incorporated pending as Case No. CV815491 in the Superior Court of the State of California for the County of Santa Clara.

The Purchased Assets being sold pursuant to this Short Form Patent and Trademark Assignment Agreement are being sold without representation or warranty except for those limited warranties expressly set forth in the Foreclosure Sale Agreement between Buyer and Sellers. Sellers specifically disclaim any warranty of title, non-infringement, validity, merchantability or fitness for a particular purpose except for those limited warranties expressly set forth in the Foreclosure Sale Agreement between Buyer and Sellers.

Buyer and Seller agree that this Short Form Patent and Trademark Assignment Agreement may be executed in one or more counterparts but all of the counterparts shall constitute one agreement and this Short Form Patent and Trademark Assignment Agreement shall be effective when executed by all of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Short Form Patent and Trademark Assignment as of October 6, 2003.

[Secured Parties and Sellers]

GATX VENTURES, INC., individually and as agent for itself, Transamerica Technology Finance Corporation and Silicon Valley Bank

By: 

Name: MARK LAM

Title: VP

TRANSAMERICA TECHNOLOGY FINANCE CORPORATION, as successor in interest to Transamerica Business Credit Corporation

By: _____

Name: _____

Title: _____

[Buyer]

SBG LABS, INC.

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

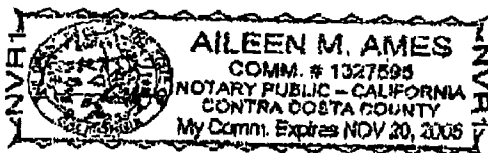
State of California)
County of Contra Costa ss:

On this 15th day of October, 2003, before me, the undersigned, personally appeared Mark Lau, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed this instrument on behalf of the corporation named herein, and acknowledged that s/he executed it in such representative capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Aileen M. Ames
Notary Public

My Commission Expires on 11-20-2005



NOV 07 '03 03:09PM RITCHEY FISHER W&K

P.6

Buyer and Seller agree that this Short Form Patent and Trademark Assignment Agreement may be executed in one or more counterparts but all of the counterparts shall constitute one agreement and this Short Form Patent and Trademark Assignment Agreement shall be effective when executed by all of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Short Form Patent and Trademark Assignment as of October 16, 2003.

[Secured Parties and Sellers]

GATX VENTURES, INC., individually and as agent for itself, Transamerica Technology Finance Corporation and Silicon Valley Bank

By: _____
Name:
Title:

TRANSAMERICA TECHNOLOGY FINANCE CORPORATION, as successor in interest to Transamerica Business Credit Corporation

By: Matthew N. McAlpine
Name:
Title: **Matthew N. McAlpine**
Senior Vice President

[Buyer]

SBG LABS, INC.

By: _____
Name:
Title:

ACKNOWLEDGMENT

ILLINOIS
State of ~~California~~)
County of COOK) ss:

On this 16th day of October, 2003, before me, the undersigned, personally appeared MATTHEW N MCALPINE, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed this instrument on behalf of the corporation named herein, and acknowledged that s/he executed it in such representative capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Sheila A. Dunaway

Notary Public

My Commission Expires on

July 1, 2004



Buyer and Seller agree that this Short Form Patent and Trademark Assignment Agreement may be executed in one or more counterparts but all of the counterparts shall constitute one agreement and this Short Form Patent and Trademark Assignment Agreement shall be effective when executed by all of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Short Form Patent and Trademark Assignment as of October 16, 2003.

[Secured Parties and Sellers]

GATX VENTURES, INC., individually and as
agent for itself, Transamerica Technology Finance
Corporation and Silicon Valley Bank


By: _____
Name:
Title:

TRANSAMERICA TECHNOLOGY FINANCE
CORPORATION, as successor in interest to
Transamerica Business Credit Corporation

By: _____
Name:
Title:

[Buyer]

SBG LABS, INC.

By: 
Name: Jonathan Waldern
Title: President and CEO

**SIGNATURE PAGE TO SHORT FORM PATENT AND TRADEMARK
ASSIGNMENT AGREEMENT**

ACKNOWLEDGMENT

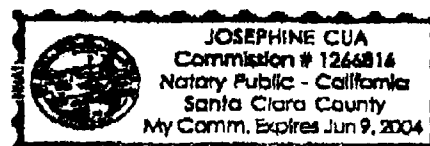
State of California)
County of Santa Clara) ss:

On this 16th day of October, 2003, before me, the undersigned, personally appeared Jonathan Waldern, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed this instrument on behalf of the corporation named herein, and acknowledged that s/he executed it in such representative capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public: JOSEPHINE CUA

My Commission Expires on June 9, 2004





UNITED STATES
PATENT AND
TRADEMARK OFFICE

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

RITCHEY FISHER WHITMAN & KLEIN
TERESA CASTRO
1717 EMBARCADERO ROAD

PALO ALTO CA 94303

FINA

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

Account No.	501493
Date	11-28-03
Page	4

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
11	5	03	1165	08258062		8021	40.00	2410.00
11	5	03	1166	08776779		8021	40.00	2370.00
11	5	03	1167	08329994		8021	40.00	2330.00
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11	5	03	1169	PCT/US02/24568		8021	40.00	2250.00
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11	5	03	1424	60347357		8021	40.00	2090.00
11	5	03	1425	60362496		8021	40.00	2050.00
11	5	03	1426	10209480		8021	40.00	2010.00
11	5	03	1427	60426221		8021	40.00	1970.00
11	5	03	1428	10107593		8021	40.00	1930.00
11	5	03	1429	09780203		8021	40.00	1890.00
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11	10	03	176	78107773		8522	25.00	1235.00
11	10	03	177	78104184		8522	25.00	1210.00

AN AMOUNT SUFFICIENT TO
COVER ALL SERVICES REQUESTED
MUST ALWAYS BE ON DEPOSIT

OPENING BALANCE

TOTAL CHARGES

TOTAL CREDITS

CLOSING BALANCE



UNITED STATES
PATENT AND
TRADEMARK OFFICE

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

RITCHEY FISHER WHITMAN & KLEIN
TERESA CASTRO
1717 EMBARCADERO ROAD

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PALO ALTO CA 94303

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
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Account No.	501493
Date	12-31-03
Page	1

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
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AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					1490.00	155.00	40.00	1375.00

MS020A (2/2003)

*** O.D. INDICATES OVERDRAWN

TRADEMARK
REEL: 002791 FRAME: 0059

RITCHEY FISHER WHITMAN & KLEIN
ATTORNEYS AT LAW

K

February 6, 2004

Josephine Cua
E-Mail: jcua@rfwk.comVIA FACSIMILE 703-308-7124U.S. Patent and Trademark Office
Assignment Division**Re: Request for Correction to Notice of Recordation and Refund of Recordation Fees**
Document ID No. 700054929A
Reel/Frame: 002757/0417

Dear Sir or Madam:

We recently received the above-referenced Notice of Recordation of Assignment Document (the "Notice of Recordation") and our latest Deposit Account Statements, copies of which are enclosed, and found the following errors made by the Assignment Division:

1. Trademark Application Number 78107776 as listed on Page 2 of the Notice of Recordation should have been Trademark Application Number 78107775.
2. The Recordation Date should be November 7, 2003. We originally submitted the recordation request by fax on November 7, 2003. We subsequently received a Notice of Non-Recordation of Document dated November 10, 2003 by mail and resubmitted the document by fax on December 2, 2003. A copy of the resubmission (the "Resubmission") which also includes the Notice of Non-Recordation of Document is enclosed herewith. Since the Resubmission was submitted within 30 days, we believe we are entitled to the original date of filing, November 7, 2003.
3. In reviewing our Deposit Account Statements, we noticed that we were charged once on November 10, 2003 and then again on December 4, 2003 in connection with this recordation request. The charges in question are circled in the enclosed November and December 2003 Deposit Account Statements. Since the reason why we had to resubmit the documents was due to the examiner's confusion over the exhibits that were attached to the assignment agreement, we do not believe we should be charged twice. In addition, I spoke to Ms. Rhonda Nicol on December 1, 2003 prior to the Resubmission and Ms. Nicol had assured me that as long as I included a copy of the Notice of Non-Recordation and an explanation why the document should have been recorded, we wouldn't be charged again.

Please correct the Notice of Recordation and refund a total of \$115.00 to our Deposit Account No. 501493. Thank you for your prompt attention to this matter. Should you have any questions, please contact me at (650) 857-1717 Ext. 627.