

08-26-2003

8-26-03

Form PTO-1594
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)
Tab settings ⇨ ⇨ ⇨



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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):

Bay View Financial Corp.

- 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: Business Alliance Capital Corp.

Internal Address: Suite 700

Street Address: 800 Wilshire

City: Los Angeles State: CA Zip: 90017

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

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

3. Nature of conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other Termination of Interest

Execution Date: May 14, 2003

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,639,095 Date: 3-26-1991

Additional number(s) attached Yes No

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

Name: Jeffrey Lizar, SVP

Internal Address:

Business Alliance Capital

Street Address: 800 Wilshire, Ste 700

City: LA State: CA Zip: 90017

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40⁰⁰-

- 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.

JEFFREY LIZAR SVP

Name of Person Signing

Jeffrey Lizar
Signature

8-7-03

Date

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

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

08/27/2003 ECDOPER 00000024 1639095

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TERMINATION OF INTEREST IN PATENTS AND TRADEMARKS

This TERMINATION OF INTEREST IN PATENTS AND TRADEMARK (“Termination”) is executed as of May 14, 2003, by Bay View Financial Corporation (“Lender”), with reference to that certain Patent and Trademark Security Agreement, dated December 8, 2000, executed by Industrial Insulations, Incorporated (“Borrower”) and Lender, which was recorded with the United States Patent and Trademark Office (the “Security Agreement”). Initially capitalized terms not defined in this Termination shall have the meanings set forth in the Security Agreement.

For good and valuable consideration, receipt of which is hereby acknowledged, the Lender hereby:

- (a) releases the security interest granted to Lender by Borrower with respect to all Patents and Trademarks described in the Security Agreement, including, but not limited to, the following trademark and patents (the “Trademark and Patents”):

<u>Trademark</u>	<u>Registration No.</u>	<u>Date Registered</u>
Coolguard	1,639,095	3/26/1991

<u>Patent</u>	<u>Patent No.</u>	<u>Dated Issued</u>
Freight Container Insulating System and Method	5,105,970	4/21/1992


Leak-Proof Insulating System for Freight Containers	5,143,245	9/1/1992
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- (b) to the extent Lender shall be deemed to have any right, title or interest in the Trademark and Patents, retransfers and reassigns to Borrower all of such right, title and interest without representation or warranty of any kind whatsoever.

This Termination shall be governed by the laws of the State of California.

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

BAY VIEW FINANCIAL CORPORATION

By: 
Name: Dale Foster
Title: Vice President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles } ss.

On May 16, 2003, Date before me, April M. Leamaster, Notary Public,
Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Dale Foster

Name(s) of Signer(s)
 personally known to me
 proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
April M. Leamaster
Signature of Notary Public

OPTIONAL

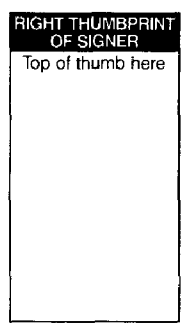
Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney-in-Fact
 Trustee
 Guardian or Conservator
 Other: _____



Signer Is Representing: _____