

9-16-03

09-16-2003

Form PTO-1594 R
OMB No. 0651-0027 (exp. 6/30/2005)

HEET
-Y
U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



102552043

To the Honorable Commissioner of P

See the attached original documents or copy thereof.

1. Name of conveying party(ies):
QUANTUM CORPORATION

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

2. Name and address of receiving party(ies):
Name: SNAP APPLIANCE, INC.
Internal _____
Address: _____
Street Address: 2001 LOGIC DRIVE
City: SAN JOSE State: CA ZIP: 95124

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

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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other RELEASE OF SECURITY INTEREST

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

Execution Date: JUNE 12, 2003

4. Application number(s) or registration number(s):
A. Trademark Application No.(s) 78/178397, 76/367586, 78/147217, 78/028661, 78/028662, 78/028663, 76/337508, 76/353991, 78/154312, 78/159108

B. Trademark Registration No.(s) 2421713, 2428674

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: BARBARA ALDER
Internal Address: PAUL, HASTINGS, JANOFSKY & WALKER LLP
Street Address: 695 TOWN CENTER DRIVE, 17TH FLOOR
City: COSTA MESA State: CA ZIP: 92626

6. Total number of applications and registrations involved: 12

7. Total fee (37 CFR 3.41): \$ 315.00
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number: _____
(Attach duplicate copy of this page if paying by deposit account)

09/16/2003 DBYRNE 00000187 78178397
01 FC:8521 40.00 OP
02 FC:8522 275.00 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.
BARBARA ALDER *Barbara Alder* 10 Sep 2003
Name of Person Signing Signature Date
Total number of pages including cover sheet, attachments, and document: 4

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

**RELEASE AND TERMINATION
(Trademarks)**

This Release and Termination (this "Termination") is made as of this 12th day of June, 2003, by Quantum Corporation ("Quantum").

R E C I T A L S

A. Pursuant to that certain Security Agreement dated October 28, 2002 between Snap Appliance, Inc. (the "Company") and Quantum, the Company granted to Quantum a security interest in certain assets including, without limitation, those Trademarks listed on Schedule I attached hereto (collectively, the "trademarks").

B. Pursuant to that certain Amendment and Repurchase Agreement dated June 12, 2003 between the Company and Quantum, Quantum has agreed to terminate and release its security interest in all of the Company's assets, including, without limitation, the Trademarks.

A G R E E M E N T

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Quantum does hereby covenant and agree as follows:

1. Quantum hereby terminates and releases its security interest in all of the Company's assets, including, without limitation, the Trademarks.

2. Quantum represents and warrants that it has the power and authority to execute this Termination.

3. Quantum represents and warrants that it has not assigned or otherwise encumbered its security interest in the Trademarks or such other assets.

4. Quantum hereby agrees to execute, acknowledge and deliver all such further instruments and to take all such further actions as may be reasonably required in order to more fully and effectively carry out the purposes of this Termination.

IN WITNESS WHEREOF, Quantum has duly executed this Termination as of the day and year first above written.

QUANTUM CORPORATION

By: 

Name: Ken Howell

Title: SR. Corp. Counsel

Schedule I
TRADEMARKS

OC/315573.1

TRADEMARK
REEL: 002824 FRAME: 0757

TRADEMARKS

TRADEMARKS REGISTRATIONS

| <u>Registration No.</u> | <u>Registration Date</u> | <u>Filing Date</u> | <u>Registered Owner</u> | <u>Mark</u> | <u>Country</u> |
|-------------------------|--------------------------|--------------------|-------------------------|--------------------------------|----------------|
| 2421713 | 01/16/01 | | Snap Appliance, Inc. | SNAP! SERVER | United States |
| 2428674 | 02/13/01 | | Snap Appliance, Inc. | NETWORK STORAGE MADE SIMPLE | United States |

TRADEMARK APPLICATIONS

PENDING TRADEMARK APPLICATIONS

| <u>Application No.</u> | <u>Filing Date</u> | <u>Applicant</u> | <u>Mark</u> | <u>Country</u> |
|------------------------|--------------------|----------------------|-----------------------------|----------------|
| 78/028661 | 10/2/00 | Snap Appliance, Inc. | BROADBAND STORAGE | United States |
| 78/028662 | 10/2/00 | Snap Appliance, Inc. | BROADBAND FILER | United States |
| 78/028663 | 10/2/00 | Snap Appliance, Inc. | BROADSTOR | United States |
| 76/337508 | 11/13/01 | Snap Appliance, Inc. | BDFS | United States |
| 76/353991 | 12/13/01 | Snap Appliance, Inc. | DATA OPTIMIZER | United States |
| 78/147217 | 7/24/02 | Snap Appliance, Inc. | RAPID REBUILD | United States |
| 78/154312 | 8/14/02 | Snap Appliance, Inc. | QUICKSHOTS | United States |
| | | | SCALABLE UNIFIED STORAGE | United States |
| 78/159108 | 8/29/02 | Snap Appliance, Inc. | | |
| 78/178,397 | 10/25/02 | Snap Appliance, Inc. | SNAP APPLIANCE | United States |
| 76367586 | 02/06/02 | Snap Appliance, Inc. | GUARDIAN | United States |

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Orange County
San Diego
San Francisco
Stamford
Tokyo
Washington, D.C.

(714) 668-6327
barbaraalder@paulhastings.com

September 11, 2003

31594.00007

VIA UPS

Commissioner of Patent & Trademarks
Box Assignments
U.S. Patent and Trademark Office
1213 Jefferson Davis Highway, Suite 320
Washington, D.C. 20231

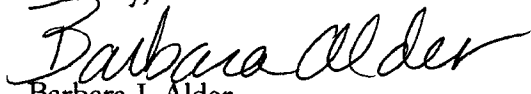
Re: **Snap Appliance, Inc.**
Release of Security Interest in Trademarks

Dear Commissioner:

Enclosed are a Recordation Form Cover Sheet and relevant supporting documentation regarding the release and termination of a security interest in 12 registered trademarks and applications of Snap Appliance, Inc. by the secured party, Quantum Corporation and a check for \$315.00 to cover the filing fee.

Please record the enclosed documents and return evidence of the recorded documents to me as indicated on the recordation cover sheet. Please acknowledge receipt of the enclosed documents by placing your receipt stamp on the enclosed copy of this letter and returning it to me in the enclosed return envelope. Thank you.

Sincerely,



Barbara J. Alder
Senior Paralegal-Corporate Specialist

Enclosures