

Form PTO-1594

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

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):

DigiTerra, Inc.

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other: Termination and Release of Patent and Trademark Security Agreement
- Merger
- Change of Name

Execution Date: 04-05-04

2. Name and address of receiving party(ies)

Name: WELLS FARGO BANK, N.A.

Internal Address: MAC C7301-037

Street Address: 1740 Broadway

City: Denver State: CO Zip: 80274

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

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

A. Trademark Application No.(s) \_\_\_\_\_

B. Trademark Registration No.(s) 2,640,378

Additional number(s) attached  Yes  No

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

Name: Linda M. Zimmermann

Internal Address: \_\_\_\_\_

Dorsey & Whitney LLP

Street Address: 170 S. Main St., Suite 900

City: Salt Lake State: UT Zip: 84101

6. Total number of applications and registrations involved: \_\_\_\_\_

1

7. Total fee (37 CFR 3.41).....\$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

04-1415 (Dorsey & Whitney, LLP)

DO NOT USE THIS SPACE

9. Signature.

James Peters

Name of Person Signing

James Peters  
Signature

April 16, 2004

Date

Total number of pages including cover sheet, attachments, and document: 5

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

CH \$40.00 041415 2640378

**TERMINATION AND RELEASE  
OF  
PATENT AND TRADEMARK SECURITY AGREEMENT**

**TERMINATION AND RELEASE OF PATENT AND TRADEMARK SECURITY AGREEMENT** dated as of April 5, 2004, by WELLS FARGO BANK, N.A. (the "Secured Party").

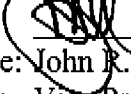
**WHEREAS**, DigiTerra, Inc., a Delaware corporation (the "Grantor") and the Secured Party entered into a Patent and Trademark Security Agreement, dated as of August 15, 2003 (the "Security Agreement") which Security Agreement was recorded with the United States Patent and Trademark Office on August 27, 2003, at Reel 002812, Frame 0001 for the purpose of collateral security for all indebtedness and obligations of the Grantor to the Secured Party arising under a certain Credit Agreement (as defined in the Security Agreement);

**WHEREAS**, pursuant to the Credit Agreement and the Security Agreement, the Grantor pledged and assigned to the Secured Party, and granted the Secured Party a security interest with power of sale in, the Patents (as defined in the Security Agreement), including without limitation the patents listed on Exhibit A hereto, and the Trademarks (as defined in the Security Agreement) including, without limitation, the marks listed on Exhibit B hereto. The Patents and the Trademarks are referred to herein collectively as the "Intellectual Property"; and

**WHEREAS**, the Secured Party has agreed to terminate and release its security interest in the Intellectual Property as herein provided:

**NOW, THEREFORE**, for valuable consideration the Secured Party hereby terminates and releases its security interest in the Intellectual Property, including without limitation the Patents listed on Exhibit A hereto and the Trademarks listed on Exhibit B hereto, and the Secured Party hereby assigns and transfers to the Grantor, without representation, warranty or recourse, all of the Secured Party's right, title and interest in and to such Intellectual Property, effective as of the date set forth above.

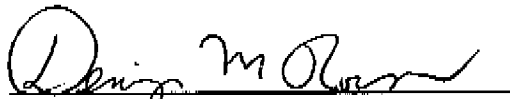
WELLS FARGO BANK, N.A.

By:   
Name: John R. Hall  
Title: Vice President

**CERTIFICATE OF ACKNOWLEDGMENT**

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of April, 2004, by John R. Hall, a Vice President of Wells Fargo Bank, N.A., on behalf of Wells Fargo Bank, N.A.



Notary Public

DENISE M. ROUSE  
NOTARY PUBLIC  
STATE OF COLORADO

My Commission Expires 11/05/2007

**EXHIBIT A****UNITED STATES ISSUED PATENTS**

<u>Title</u>	<u>Patent Number</u>	<u>Issue Date</u>
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**NONE**

**UNITED STATES PATENT APPLICATIONS**

<u>Title</u>	<u>Serial Number</u>	<u>Filing Date</u>
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**NONE**

**FOREIGN ISSUED PATENTS**

<u>Title</u>	<u>Country</u>	<u>Patent Number</u>	<u>Issue Date</u>
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**NONE**

**EXHIBIT B****UNITED STATES ISSUED TRADEMARKS, SERVICE MARKS  
AND COLLECTIVE MEMBERSHIP MARKS****REGISTRATIONS**

<u>Mark</u>	<u>Registration Number</u>	<u>Registration Date</u>
DIGITERRA	2,640,378	10/22/02

**APPLICATIONS**

<u>Mark</u>	<u>Serial Number</u>	<u>Filed Date</u>
<b>NONE</b>		

**COLLECTIVE MEMBERSHIP MARKS****NONE****UNREGISTERED MARKS****NONE**



## FAX COVER SHEET

The information contained in this facsimile message, if a client of this firm is a named addressee, or the message is otherwise intended for a client, is presumptively legally privileged and confidential information. If you are not a named addressee, or if there is any reason to believe that you may have received this message in error, (1) do not read the message below; (2) do not distribute or copy this facsimile; and (3) please immediately call us collect at the number of the sender below.

<b>DATE:</b>	<b>April 19, 2004</b>	<b>TOTAL # OF PAGES:</b> (INCLUDING THIS COVER SHEET)	<b>7</b>
<b>TO:</b>	<b>ASSIGNMENT DIVISION</b>	<b>FAX #:</b>	<b>(703) 306-5995</b>
<b>FIRM NAME:</b>	<b>U.S. PATENT AND TRADEMARK OFFICE</b>	<b>PHONE #:</b>	<b>(703) 308-9723</b>
<b>LOCATION</b>	<b>WASHINGTON, D.C. 20231</b>	<b>REFERENC E #</b>	

<b>FROM:</b>	<b>Diane Haney</b>	<b>ATTORNEY</b>	<b>Linda Zimmermann</b>
<b>PHONE #:</b>	<b>(801) 933-7376</b>	<b>EMAIL:</b>	<b>haney.diane@dorsey.com</b>
		<b>FAX</b>	<b>(801) 933-7373</b>

### CERTIFICATION OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

I hereby certify that the following are being transmitted by facsimile to the United States Patent and Trademark Office, Fax No. (703) 306-5995 on April 19, 2004.

1. Trademark Recordation Form Cover Sheet Form PTO 1594 (1 Page)
2. Termination and Release of Patent and Trademark Security Agreement, dated April 5, 2004 (4 Pages)
3. Duplicate Copy of Form PTO 1594 for payment by deposit account (1 Page)

  
 \_\_\_\_\_  
 Diane Haney, Legal Secretary

ORIGINAL WILL BE SENT VIA:  MAIL  E-MAIL  MESSENGER  AIR COURIER  WILL NOT BE SENT

**PLEASE CONTACT DIANE HANEY AT (801) 933-7373 IF THIS TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.**

REFERENCE #

DORSEY & WHITNEY LLP · WWW.DORSEY.COM · T 801.933.7360 · F 801.933.7373  
 170 SOUTH MAIN STREET · SUITE 900 · SALT LAKE CITY, UTAH 84101-1655

USA CANADA EUROPE ASIA  
**TRADEMARK**

**REEL: 002834 FRAME: 0296**

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James Peters

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