## Electronic Version v1.1

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SUBMISSION TYPE: **NEW ASSIGNMENT** 

NATURE OF CONVEYANCE: Termination and Release

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Ontario Teachers' Pension Plan Board		09/16/2004	CORPORATION: CANADA

#### **RECEIVING PARTY DATA**

Name:	Algorithmics, Inc.	
Street Address:	185 Spadina Avenue	
City:	Toronto	
State/Country:	CANADA	
Postal Code:	M5T 2C6	
Entity Type:	CORPORATION: CANADA	

PROPERTY NUMBERS Total: 7

Property Type	Number	Word Mark
Serial Number:	74562959	Al
Serial Number:	75427941	ALGO ACADEMY
Serial Number:	74562960	ALGORITHMICS
Serial Number:	74562958	ALGORITHMICS
Serial Number:	74703056	RISKENGINE
Serial Number:	74639889	RISKWAREHOUSE
Serial Number:	74482070	RISKWATCH

#### **CORRESPONDENCE DATA**

Fax Number: (212)682-0200

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 212-880-6281 Email: sanger@torys.com

Correspondent Name: Torys LLP

Address Line 1: 237 Park Avenue

Address Line 4: New York, NEW YORK 10017

**TRADEMARK** 

**REEL: 002940 FRAME: 0779** 

900013035

ATTORNEY DOCKET NUMBER: 10929/0001

DOMESTIC REPRESENTATIVE

Name: Torys LLP

Address Line 1: 237 Park Avenue

Address Line 4: New York, NEW YORK 10017

NAME OF SUBMITTER:

Sophie B. Anger

Total Attachments: 3

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> TRADEMARK REEL: 002940 FRAME: 0780

# TERMINATION AND RELEASE (Trademarks)

This TERMINATION AND RELEASE is dated as of September \_\_\_\_, 2003, and made by Ontario Teachers' Pension Plan Board, an Ontario corporation (the "Secured Party"), in favor of Algorithmics Inc., an Ontario corporation (the "Pledgor").

#### WITNESSETH:

WHEREAS, the Pledgor granted a security interest in certain Collateral (as hereinafter defined) to the Secured Party (the "Security Interest"); and

WHEREAS, the Security Interest was recorded in the Trademark Division of the United States Patent and Trademark Office on June 22, 1999, at Reel 1922, Frame 0026; and

WHEREAS, the Secured Party now desires to terminate and release the entirety of its Security Interest in the Collateral;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination and Release, the Secured Party hereby terminates and releases the Security Interest in the Collateral as follows:

- 1. <u>Collateral</u>. The term "Collateral," as used herein, shall mean all of the Pledgor's right, title and interest of every kind and nature in the trademarks and service marks set forth on <u>Schedule A</u> attached hereto and (i) all registrations, applications, recordings and common-law rights relating thereto; (ii) all renewals thereof; (iii) all income, license royalties, damages and payments now and hereafter due and/or receivable with respect thereto, including, without limitation, all damages and payments receivable for past, present and/or future infringements thereof; (iv) the right to sue for past, present and/or future infringements thereof; (v) all rights corresponding thereto throughout the world; and (vi) the goodwill of the Pledgor's business connected with or symbolized by the foregoing.
- 2. <u>Further Assurances</u>. The Secured Party hereby agrees to execute, acknowledge, procure and deliver any further documents and to do such other acts as may be reasonably necessary to effect the release of the Security Interests contemplated hereby.

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

ONTARIO TEACHERS' PENSION PLAN

**BOARD** 

By: MARK MACSONARD
Title: VILE PREST BENT

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### **SCHEDULE A**

TRADEMARK NAME	SERIAL NUMBER	FILING DATE	REGISTRATION DATE 19-Sep-95	
AI	74562959	19-Aug-94		
ALGO ACADEMY	75427941	3-Feb-98	11-May-99	
ALGORITHMICS	74562960	19-Aug-94	24-Sep-96	
ALGORITHMICS	74562958	19-Aug-94	20-Feb-96	
RISKENGINE	74703056	18-Jul-95	04-May-99	
RISKWAREHOUSE	74639889	24-Feb-95	22-Apr-97	
RISKWATCH	74482070	21-Jan-94	4-Jul-95	

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**RECORDED: 09/20/2004** 

**TRADEMARK REEL: 002940 FRAME: 0783**