

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

SUNTRUST BANK

☐ Individual(s)                      ☐ Association  
☐ General Partnership              ☐ Limited Partnership  
☒ Corporation (Georgia)  
☐ Other \_\_\_\_\_

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

## 2. Name and Address of receiving party(ies)

MAPICS, INC.

Address: 11720 AMBER PARK DRIVE  
SUITE 400  
ALPHARETTA, GA 30004

## 3. Nature of conveyance:

☐ Assignment                      ☐ Merger  
☐ Security Agreement              ☐ Change of Name

☒ Other - **RELEASE OF SECURITY AGREEMENT**Execution Date: April 18, 2005

☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☐ Limited Partnership \_\_\_\_\_  
☒ Corporation (Georgia)  
☐ 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) See attached

B. Trademark Registration No.(s) See attached

Additional numbers attached? ☒ Yes ☐ No

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

Hayley Smith, Senior Legal Assistant  
 Kirkland & Ellis LLP  
 153 East 53rd Street  
 New York, NY 10022-4675  
 (212) 446-4800 (Phone)  
 (212) 446-4900 (Facsimile)

## 6. Total number of applications and registrations involved: 11

## 7. Total fee (37 CFR 3.41)..... \$ 290

☐ Enclosed☒ Authorized to be charged to Deposit Account

## 8. Charge to Deposit Account No. 111098

(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.*

Hayley Smith

Name of Person Signing

Hayley Smith

Signature

4/20/05

Date

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

CH \$290.00 111098 2270685

**SCHEDULE TO RECORDATION COVER SHEET**  
**RELEASE OF SECURITY INTEREST SUNTRUST BANK TO MAPICS, INC.**

Design Only of Cyberwheel	2270685
MAPICS & Des.	2380317
MAPICS	1748307
EWP	2412640
PIVOTPOINT	2189686
PIVOTPOINT	2159426
THRU PUT	2326161
THRU-PUT	2613644
THRU-PUT	2501244
THRU-PUT TECHNOLOGIES	2202430
MAPICS & DESIGN	2926643 (formerly app. no. 76/466070)

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

**MAPICS, INC.**

**TERMINATION AND RELEASE OF TRADEMARK SECURITY AGREEMENT**, dated as of April 16, 2005, by SUNTRUST BANK, a Georgia banking corporation with its head office at 303 Peachtree Street, Atlanta, Georgia 30309, as administrative agent (hereinafter in such capacity, the "Agent"), in connection with the Revolving Credit and Term Loan Agreement, dated as of February 18, 2003 (as heretofore amended, and in effect, the "Credit Agreement"), by and among Mapica, Inc., a Georgia corporation (the "Borrower"), the Agent and the lending institutions party thereto (the "Banks").

WHEREAS, in connection with the Credit Agreement, Mapics, Inc., a Georgia corporation (the "Company") and the Agent entered into a Trademark Security Agreement, dated as of February 18, 2003 (the "Trademark Agreement"), which Trademark Agreement was recorded February 21, 2003 with the United States Patent and Trademark Office at Reel 002609, Frame 0271 for the purpose of securing payment and performance of, among other things, the Secured Obligations (as defined in the Security Agreement entered into by Grantor and certain Subsidiaries of Borrower as referred to in the Trademark Agreement);

WHEREAS, pursuant to the Trademark Agreement, the Company granted and conveyed to the Agent, for the benefit of the Agent and the Banks, a security interest in, for the benefit of the Agent and the Banks, the Company's entire right, title and interest in and to, the Property (as defined in the Trademark Agreement), including the Trademarks (as defined in the Trademark Agreement), and the Trademark Licenses (as defined in the Trademark Agreement), and all products and proceeds of the foregoing; and

WHEREAS, the Agent has agreed to terminate the Trademark Agreement and release, assign and transfer to the Company its right, title and interest in the Property, as herein provided;

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NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Agent hereby terminates the Trademark Agreement and releases, assigns and transfers to the Company, without representation, warranty or recourse, all of the Agent's right, title and interest in and to the Trademarks, and the Trademark Licenses, and all products and proceeds of the foregoing, including without limitation the trademarks listed on Exhibit A attached hereto, effective as of the date set forth above.

SUNTRUST BANK,  
as Agent

By: 

Name: BRIAN K. PETERS  
Title: MANAGING DIRECTOR

CLT01/4786234v1

TRADEMARK  
REEL: 003100 FRAME: 0995

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## CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF GEORGIA )

COUNTY OF Douglas )

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this 15<sup>th</sup> day of April, 2005 personally appeared Brian K. Rubin to me known personally, and who, being by me duly sworn, deposes and says that he or she is a Managing Director of SUNTRUST BANK, and that said instrument was signed and sealed on behalf of said bank by authority of its Board of Directors, and said officer acknowledged said bank by authority of its Board of Directors, and said instrument to be the free act and deed of said bank.



Notary Public

My Commission Expires:

LISA A. HOWARD

Notary Public, Douglas County, Georgia  
My Commission Expires March 3, 2008

CLT01/470623471

**EXHIBIT A****MAPICS, INC.****Trademark and Service Mark Registrations:**

Trademark/Service Mark	Registration Number	Registration Date
MAPICS	1748307	January 26, 1993
Cyberwheel Design	2,270,685	August 17, 1999
MAPICS & Cyberwheel	2,380,317	August 29, 2000
EWP	2,412,640	December 12, 2000
Maincor	2,032,912	January 21, 1997
Pivotpoint	2,189,686	September 15, 1998
Pivotpoint & Design	2,159,426	May 19, 1998
Point Man	1,993,167	August 13, 1996
Resonance	2,002,568	September 24, 1996
Thru-Put & Design	2,613,644	September 3, 2002
Thru-Put & Design (Service Mark)	2,326,161	March 7, 2000
Thru-Put & Design (Service Mark)	2,501,244	October 30, 2001
MAPICS & Triangle Design	Pending Serial No. 76/466,070	Intent-to-Use Application filed October 29, 2002
Thru-Put Technologies	2,202,430	November 10, 1998

Alcon &amp; Bird