

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	RELEASE BY SECURED PARTY

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
NewStar CP Funding LLC		11/28/2006	LIMITED LIABILITY COMPANY: DELAWARE

**RECEIVING PARTY DATA**

<b>Name:</b>	Trek Diagnostic Systems, Inc.
<b>Street Address:</b>	982 Keynote Circle
<b>Internal Address:</b>	Suite 6
<b>City:</b>	Cleveland
<b>State/Country:</b>	OHIO
<b>Postal Code:</b>	44131
<b>Entity Type:</b>	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 16**

Property Type	Number	Word Mark
Registration Number:	2310829	ALAMARBLUE
Registration Number:	2301646	ARIS
Registration Number:	1808411	ESP
Registration Number:	1794215	EZ DRAW
Registration Number:	2337361	JUSTONE
Registration Number:	2663951	ONSITE
Registration Number:	2725308	PARA-JEM
Serial Number:	76530488	PARA-JEM BLUE
Registration Number:	2851581	REDOX 1
Registration Number:	2854582	REDOX 2
Registration Number:	1126962	SENSITITRE
Registration Number:	2369901	SENSITOUCH
Registration Number:	3010253	SWIN

**CH \$415.00 2310829**

Registration Number:	2866022	VERSATREK
Registration Number:	3010252	VERSATREK
Registration Number:	2277753	YEASTONE

**CORRESPONDENCE DATA**

Fax Number: (617)526-9899  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
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ATTORNEY DOCKET NUMBER:	75154/004
NAME OF SUBMITTER:	J. Colin Sullivan
Signature:	/J. Colin Sullivan/
Date:	12/04/2006

**Total Attachments: 7**

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## RELEASE OF INTELLECTUAL PROPERTY SECURITY INTEREST

This RELEASE OF INTELLECTUAL PROPERTY SECURITY INTEREST, dated as of November 28, 2006, is made by NewStar CP Funding LLC (the “*Lender*”) in favor of Trek Diagnostic Systems, Inc., a Delaware corporation (“*Trek*”), and TDS Holdings, Inc., a Delaware corporation (“*TDS Holdings*” and collectively with Trek the “*Grantors*”).

WHEREAS, Trek and TDS Holdings, entered into that certain Credit and Security Agreement dated as of June 14, 2005 (as amended, amended and restated, supplemented or otherwise modified from time to time, the “*Credit Agreement*”), with the Lender. Terms defined in the Credit Agreement and not otherwise defined herein are used herein as defined in the Credit Agreement.

WHEREAS, as a condition precedent to the making of the Loan by the Lender, the Grantors granted to the Lender, a security interest in, among other things, certain intellectual property of the Grantors, and in connection therewith, Grantors and Lender entered into a Security Agreement (Copyrights), Security Agreement (Patents) and Security Agreement (Trademarks), each dated as of June 14, 2005 (as amended, amended and restated, supplemented or otherwise modified from time to time, collectively, the “*IP Security Agreements*”).

WHEREAS, each of the Security Agreement (Patents) and the Security Agreement (Trademarks) were recorded on June 22, 2005 with the U.S. Patent and Trademark Office and were recorded at reel/frame no. 016164/0966 and 003108/0706, respectively and the Security Agreement (Copyrights) was recorded with the United States Copyright Office Register of Copyrights on August 29, 2005 at volume/doc. no. 3526/511.

WHEREAS, in accordance with the provisions in the Credit Agreement, the Lender desires to terminate and discharge fully its security interest in the Grantors’ intellectual property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Lender agrees as follows:

SECTION 1. Release of Security Interest. The Lender hereby releases its security interest in to and under the Patent Collateral, the Trademark Collateral and the Copyright Collateral (as such terms are defined in the relevant IP Security Agreements), including, without limitation, the patent and patent applications listed on Schedule A hereto, the trademarks and trademark applications listed on Schedule B hereto, and the copyrights and copyright applications listed on Schedule C hereto.

SECTION 2. Recordation. The Lender authorizes and requests that the Commissioner for Patents and Trademarks and the Register of Copyrights and any other applicable government officer record this Release of Intellectual Property Security Interest.

SECTION 3. Governing Law. This Release of Intellectual Property Security Interest shall be governed by, and construed in accordance with, the laws of the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, the Lender has caused this Release of Intellectual Property Security Interest to be duly executed and delivered by its officer thereunto duly authorized as of the date first above written.

LENDER

NEWSTAR CP FUNDING LLC

By: NEWSTAR FINANCIAL, INC.,  
Its Designated Manager

By: 

Name: Robert E. Hornstein

Title: Managing Director – Portfolio Management

Schedule A to the  
Release of Intellectual Property Security Interest

PATENTS

Title	Country	Appl. No.	Appl. Date	Reg. No. / Pub. No.	Reg. Date/ Pub. Date
Antibiotic and Cytotoxic Drug Susceptibility Assays Using Resazurin and Poising Agents	USA	08/396362	02/28/95	5501959	03/26/96
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	Australia	9050409	01/16/90	9050409	08/13/90
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	Canada	2044265	01/16/90	2044265	03/26/02
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	EPO	90902964	01/16/90	454784	04/17/96
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	France	90902965	01/16/90	N/A	N/A
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	Germany	69026602	01/16/90	69026602	05/23/96
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	Great Britain	90902965	01/16/90	454784 (EPO)	04/17/96
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	Italy	90902965	01/16/90	N/A	N/A
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	Japan	503076/90 JP1990 503076	01/16/90	JP4502707T	05/21/92
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	Spain	90902965	01/16/90	2089009	10/01/96
Apparatus & Methods for Antimicrobial Susc. Testing of Microorganisms (alamarBlue)	WIPO	90US149	01/16/90	9008196	07/26/90
Diagnostic Microbiological Testing Apparatus and Method	USA	08/072346	06/04/93	5340747	08/23/94

Title	Country	Appl. No.	Appl. Date	Reg. No. / Pub. No.	Reg. Date/ Pub. Date
Diagnostic Microbiological Testing Apparatus and Method	EPO	592624	03/08/93	93907331	09/19/01
Diagnostic Microbiological Testing Apparatus and Method	Germany	69330772	03/08/93	69330772	10/25/01
Diagnostic Microbiological Testing Apparatus and Method	WIPO	93US2101	03/08/93	9318182	09/16/93
Detection of Microbiological Growth (para-JEM Blue)	USA	10/665105	09/17/03	0058986-A1 2005005898 6	3/17/05
Detecting Microbiological Growth (ESP)	USA	07/870792	04/16/92	5232839	08/03/93
Detecting Microbiological Growth (ESP)	EPO	920203183	10/16/92	052728	04/20/94
Detecting Microbiological Growth (ESP)	Germany	92620949	10/16/92	69220949	08/21/97
Detecting Microbiological Growth (ESP)	Italy	92203183	N/A	N/A	N/A
Detecting Microbiological Growth (ESP)	Spain	92203183	10/16/92	ES2108084 T	12/16/97
Detecting Microbiological Growth (ESP)	UK	92203183	N/A	N/A	N/A
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	USA	08/576050	12/21/95	5672484	09/30/97
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	Canada	2182511	07/31/95	2182511	09/14/99
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	EPO	950909409	01/30/95	743979	11/27/96
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	France	N/A	N/A	743979	N/A
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	GB	950909409	01/30/95	743979	05/07/03
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	Germany	69530577	01/30/95	69530577	06/05/03
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	Hong Kong	98115747	12/28/98	1014372	02/06/04
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	Italy	N/A	N/A	N/A	N/A
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	Japan	95520698	01/30/95	9511391	11/18/97

Title	Country	Appl. No.	Appl. Date	Reg. No. / Pub. No.	Reg. Date/ Pub. Date
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	Spain	95909409T	01/30/95	2199239	02/16/04
Microbiological Culture Bottle, And Method Of Making And Using Same (ESP)	WIPO	95US1269	01/30/95	9521241	08/10/95

Schedule B to the  
Release of Intellectual Property Security Interest

TRADEMARKS

Mark	Country	Serial No.	Filing Date	Reg. No.	Reg. Date
ALAMARBLUE	USA	75508699	06/25/98	2310829	01/25/00
ALAMARBLUE	Europe	1033455	12/23/98	1033455	04/07/03
ARIS	USA	75486220	05/15/98	2301646	12/21/99
ESP	USA	74208301	09/30/91	18008411	11/30/93
EZ DRAW	USA	74231947	12/18/91	1794215	09/21/93
JUSTONE	USA	75492987	05/29/98	2337361	04/04/00
ONSITE	USA	76040285	05/03/00	2663951	12/17/02
PARA-JEM	USA	76244655	04/23/01	2725308	06/10/03
PARA-JEM	Europe	2421881	10/23/01	2421881	04/03/03
PARA-JEM	Australia	892861	10/23/01	892861	03/26/02
PARA-JEM BLUE	USA	76530488	06/26/03	--	--
REDOX 1	USA	76429524	07/01/02	2851581	06/08/04
REDOX 2	USA	76428805	07/01/02	2854582	06/15/04
SENSITITRE	USA	73161811	03/13/78	1126962	11/27/79
SENSITITRE	China	73099700	N/A	N/A	N/A
SENSITOUCH	USA	75508228	06/25/98	2369901	07/25/00
SENSITOUCH	Europe	1033471	12/23/98	1033471	06/27/00
SWIN	USA	76597212	06/14/04	3010253	11/01/05
VERSATREK	USA	76428803	07/01/02	2866022	07/27/04
VERSATREK	Europe	3347747	09/10/03	3347747	12/09/04
VERSATREK	China	3755761	N/A	3755761	02/28/05
VERSATREK SOFTWARE	USA	76597210	06/14/04	3010252	11/01/05
YEASTONE	USA	75498413	06/09/98	2277753	09/14/99



Schedule C to the  
Release of Intellectual Property Security Interest

COPYRIGHTS

Title	Copyright Number	Reg. Date	Author/Claimant
VersaTrek Windows software: version 5.27	TX-5-923-186	02/12/04	Trek Diagnostic Systems, Inc.
Sensititre software	TX-6-145-450	10/18/04	Trek Diagnostic Systems, Inc.