

06-06-2007



103413576

To the Director of the U.S. Patent and Trademark Office

of documents or the new address (es) below.  
of receiving party(ies):  
conveying parties attached?  Yes  No

1. Name of conveying party(ies):  
**Oxysure Systems, Inc.**

Name: **Silicon Valley Bank**

Internal Address: **HF 154**

Street Address: **3003 Tasman Drive**

City: **Santa Clara**

State: **CA**

Country: **USA**

Zip: **95054**

- Individual(s)
- General Partnership
- Association
- Limited Partnership

- Corporation-State
- Other

Additional name(s) of conveying parties attached?  Yes  No

3. Nature of conveyance/ Execution Date(s):

Execution Date(s): **May 4, 2007**

- Assignment
- Merger
- Security Agreement
- Change of Name

Other :

- Association Citizenship
- General Partnership Citizenship
- Limited Partnership Citizenship
- Corporation Citizenship
- Other Citizenship

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)

4. Application number(s) or registration number(s) and identification or description of the Trademark:

A. Trademark Application No.(s)

**78/868,403 78/874,017 78/870,040**

**78/868,919 78/336,372 78/874,029**

**78/868,902 78/870,017 78/868,968**

**78/350,924 78/874,059**

B. Trademark Registration No.(s)

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

Additional sheets attached?  Yes  No

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

Name: **Silicon Valley Bank**

Internal Address: **HF154**

Street Address: **3003 Tasman Drive**

City: **Santa Clara** State: **CA** ZIP: **95054**

Phone Number: **(408) 919-0310**

Fax Number: **(408) 654-6313**

Email Address: **svaldivia@svb.com**

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

7. Total fee (37 CFR 2.6 (b)(6) & 3.41): **\$ 290.00**

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers  
Expiration Date

b. Deposit Account Number  
Authorized User Name

9. Signature.

Signature

**May 30, 2007**

Date

**Susana Valdivia**

Name of Person Signing

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

OFFICE OF PUBLIC RELATIONS  
2007 JUN -5 PM 2:52  
FINANCE SECTION

06/06/2007 17:04:11  
01 FC:8521  
02 FC:8522

**INTELLECTUAL PROPERTY SECURITY AGREEMENT**

5/04/07

This Intellectual Property Security Agreement is entered into as of the Effective Date by and between SILICON VALLEY BANK ("Bank") and OXYSURE SYSTEMS, INC. ("Grantor").

**RECITALS**

A. Bank has agreed to make certain advances of money and to extend certain financial accommodation to Grantor (the "Loans") in the amounts and manner set forth in that certain Loan and Security Agreement by and between Bank and Grantor dated the Effective Date (as the same may be amended, modified or supplemented from time to time, the "Loan Agreement"; capitalized terms used herein are used as defined in the Loan Agreement). Bank is willing to make the Loans to Grantor, but only upon the condition, among others, that Grantor shall grant to Bank a security interest in certain Copyrights, Trademarks, Patents, and Mask Works to secure the obligations of Grantor under the Loan Agreement.

B. Pursuant to the terms of the Loan Agreement, Grantor has granted to Bank a security interest in all of Grantor's right, title and interest, whether presently existing or hereafter acquired, in, to and under all of the Collateral.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and intending to be legally bound, as collateral security for the prompt and complete payment when due of its obligations under the Loan Agreement, Grantor hereby represents, warrants, covenants and agrees as follows:

**AGREEMENT**

To secure its obligations under the Loan Agreement, Grantor grants and pledges to Bank a security interest in all of Grantor's right, title and interest in, to and under its Intellectual Property Collateral (including without limitation those Copyrights, Patents, Trademarks and Mask Works listed on Schedules A, B, C, and D hereto), and including without limitation all proceeds thereof (such as, by way of example but not by way of limitation, license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, all rights corresponding thereto throughout the world and all re-issues, divisions continuations, renewals, extensions and continuations-in-part thereof.

This security interest is granted in conjunction with the security interest granted to Bank under the Loan Agreement. The rights and remedies of Bank with respect to the security interest granted hereby are in addition to those set forth in the Loan Agreement and the other Loan Documents, and those which are now or hereafter available to Bank as a matter of law or equity. Each right, power and remedy of Bank provided for herein or in the Loan Agreement or any of the Loan Documents, or now or hereafter existing at law or in equity shall be cumulative and concurrent and shall be in addition to every right, power or remedy provided for herein and the exercise by Bank of any one or more of the rights, powers or remedies provided for in this Intellectual Property Security Agreement, the Loan Agreement or any of the other Loan Documents, or now or hereafter existing at law or in equity, shall not preclude the simultaneous or later exercise by any person, including Bank, of any or all other rights, powers or remedies.

IN WITNESS WHEREOF, the parties have cause this Intellectual Property Security Agreement to be duly executed by its officers thereunto duly authorized as of the first date written above.

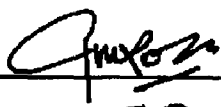
GRANTOR:

OXYSURE SYSTEMS, INC.

Address of Grantor:

2611 Internet Blvd.  
Suite 109  
Frisco, TX 75034

Attn: JULIAN ROSS

By:   
Title: CEO

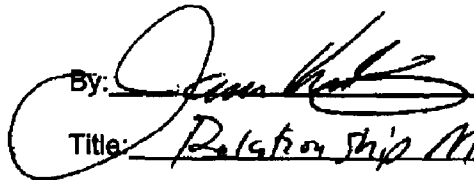
BANK:

SILICON VALLEY BANK

Address of Bank:

14185 North Dallas Parkway  
Suite 780  
Dallas, TX 75254

Attn: \_\_\_\_\_

By:   
Title: Relationship Manager

**EXHIBIT A**

**Copyrights**

**Description**

**Registration/  
Application  
Number**

**Registration/  
Application  
Date**

**EXHIBIT B**

**Patents**

**Description**

**Registration/  
Application  
Number**

**Registration/  
Application  
Date**



COUNTRY	REFERENCE#	TYPE	FILED	SERIAL#	ISSUED	PATENT#	STATUS
<i>All Actions Due (Current)</i>							
<b>FLEXIBLE REACTION CHAMBER WITH FRANGIBLE SEALS AND ACTIVATION METHODS</b>							
Inventors: JULIAN ROSS							
UNITED STATES	P3367000	NEW	12/5/2005	60742,436			PENDING
PERU	3367004	CEQ	12/5/2006	1554-2006			PENDING
	6/5/2008	STATUS CHECK					
	12/5/2009	ANNUITY DUE					
UNITED STATES	3367001	CIP	12/5/2006	11/567,196			PENDING
	3/5/2007	INF DISCLOSURE STMT					
	5/23/2007	STATUS CHECK					
	6/5/2007	PUBLICATION					
	6/5/2008	AWT OFFICE ACTION					
WIPO	3367002	CEQ	12/5/2006	PCT/US2006/061638			PENDING
	4/5/2007	AMENDMENT OF CLAIMS					
	6/5/2007	PUBLICATION					
	7/5/2007	TRANSITION CHAPTER 2					
	8/5/2007	TRANSITION NAT PHASE					
	10/5/2007	DEMAND CHAPTER II					
	4/5/2008	INFORMAL COMMENTS					
	5/5/2008	STATUS CHECK					
	5/5/2008	PREL EXAM STAT CHECK					
	6/5/2008	PCT 30 MO DEADLINE					
CHILE	3367003	CEQ	12/6/2006	3421-2006			PENDING
	6/6/2008	STATUS CHECK					
	12/6/2016	ANNUITY DUE					
VENEZUELA	3367005	CEQ	12/6/2006	02836-2006			PENDING
	4/5/2007	PRIORITY DEADLINE					
	6/5/2007	PUBLICATION					
	6/6/2008	STATUS CHECK					
	12/6/2008	ANNUITY DUE					

**METHOD AND APPARATUS FOR CONTROLLED PRODUCTION OF A GAS**

Inventors: JULIAN ROSS; CHARLES R. KEYES JR

UNITED STATES	P3050000	NEW	1/28/2005	11/045,805			ABANDONED
UNITED STATES	P3050001	CON	6/22/2005	11/158,993			PUBLISHED
	7/1/2007	AWT OFFICE ACTION					
UNITED STATES	P3050002	CON	6/22/2005	11/159,016			PUBLISHED
	7/22/2007	AWT OFFICE ACTION					
UNITED STATES	P3050003	CON	6/22/2005	11/159,377			PUBLISHED
	6/6/2007	AWT OFFICE ACTION					
UNITED STATES	P3050004	CON	6/22/2005	11/159,362			PUBLISHED
	10/22/2007	AWT OFFICE ACTION					
UNITED STATES	P3050005	CON	6/22/2005	11/159,818			PUBLISHED
	6/20/2007	AWT OFFICE ACTION					
UNITED STATES	P3050006	CON	6/22/2005	11/159,989			PUBLISHED
	12/22/2006	AWT OFFICE ACTION					
UNITED STATES	P3050007	CON	6/22/2005	11/159,996			PUBLISHED
	7/8/2007	AWT OFFICE ACTION					
UNITED STATES	P3050008	CON	6/22/2005	11/159,648			PUBLISHED
	6/28/2007	AWT OFFICE ACTION					
UNITED STATES	P3050009	CON	6/22/2005	11/159,079			PUBLISHED
	6/28/2007	AWT OFFICE ACTION					

COUNTRY	REFERENCE#	TYPE	FILED	SERIAL#	ISSUED	PATENT#	STATUS
<b>METHOD AND APPARATUS FOR CONTROLLED PRODUCTION OF A GAS continued . . .</b>							
UNITED STATES	P3050010	CON	6/22/2005	11/158,763			PUBLISHED
	1/22/2007	PUBLICATION					
	10/22/2007	AWT OFFICE ACTION					
UNITED STATES	P3050011	CON	6/22/2005	11/158,865			PUBLISHED
	4/29/2007	RESPONSE TO OA					
UNITED STATES	P3050012	CON	6/22/2005	11/158,958			PUBLISHED
	7/8/2007	AWT OFFICE ACTION					
UNITED STATES	P3050013	CON	6/22/2005	11/158,867			PENDING
	4/29/2007	RESPONSE TO OA					
WIPO	P3050014	CEQ	1/26/2006	PCT/US2006/02749			PUBLISHED
	6/28/2007	PREL EXAM STAT CHECK					
	7/28/2007	PCT 30 MO DEADLINE					
MALAYSIA	P3050015	CEQ	1/27/2006	PI 20060391			PENDING
	7/27/2007	STATUS CHECK					
	1/27/2008	REQUEST EXAMINATION					
PERU	P3050016	CEQ	1/30/2006	000119-2006			PENDING
	6/6/2007	RQST EXAMINATION					
	7/28/2007	STATUS CHECK					
	1/28/2009	ANNUITY DUE					

**METHOD AND APPARATUS FOR DELIVERING OXYGENATED HEATED VAPOR IN SKIN CARE APPLICATIONS**

Inventors: JULIAN ROSS

UNITED STATES	P3361000	NEW	11/15/2005	60/736,786			EXPIRED
UNITED STATES	P3361001	OTH	1/27/2006	60/763,121			PENDING
UNITED STATES	P3361002	FCA	11/15/2006	11/560,304			PENDING
	4/15/2007	INF DISCLOSURE STMT					
	5/15/2007	PUBLICATION					
	5/15/2008	AWT OFFICE ACTION					

**METHOD AND APPARATUS FOR GENERATING OXYGEN**

Inventors: JULIAN ROSS

UNITED STATES	P2864000	NEW	11/20/2003	10/718,131			PUBLISHED
	6/21/2007	AWT OFFICE ACTION					
AUSTRALIA	2864005	DCA	3/31/2004	PCT/US04/10122			PENDING
	3/31/2007	STATUS CHECK					
	1/20/2008	REQUEST EXAMINATION					
	3/31/2009	ANNUITY DUE					
BRAZIL	2864006	DCA	3/31/2004	PI 0416647-7			PENDING
	11/17/2006	STATUS CHECK					
	12/31/2006	ANNUITY DUE					
CANADA	2864007	DCA	3/31/2004	2,546,827			PENDING
	3/31/2008	ANNUITY DUE					
	3/31/2009	REQUEST EXAMINATION					
CHINA	2864008	DCA	3/31/2004	200480036285.9			PUBLISHED
	3/31/2007	STATUS CHECK					
	4/27/2007	AMENDMENT					
	7/3/2007	RECORD IN HONG KONG					
EUROPEAN PATENT	2864009	DCA	3/31/2004	PCT/US04/10122			PENDING
	8/5/2006	AMEND DESCR/CLAIMS					
	9/30/2006	ANNUITY DUE					
ISRAEL	2864011	DCA	3/31/2004	PCT/US04/10122			PENDING
	3/31/2007	STATUS CHECK					
	3/31/2010	ANNUITY DUE					



COUNTRY	REFERENCE#	TYPE	FILED	SERIAL#	ISSUED	PATENT#	STATUS
<i>All Actions Due (Current)</i>							
<b>METHOD AND APPARATUS FOR GENERATING OXYGEN continued . . .</b>							
INDIA	2864010	DCA	3/31/2004	PCT/US04/10122			PENDING
	3/31/2007	STATUS CHECK					
	11/20/2007	REQUEST EXAMINATION					
	12/20/2007	PUBLICATION					
JAPAN	2864012	DCA	3/31/2004	2006-541110			PENDING
SOUTH KOREA	2864013	DCA	3/31/2004	PCT/US04/10122			PENDING
	3/31/2007	STATUS CHECK					
	10/14/2007	CLAIM PRIORITY					
	12/14/2007	PUBLICATION					
	3/31/2009	REQUEST EXAMINATION					
MEXICO	2864014	DCA	3/31/2004	PA/2006/005737			PENDING
	8/21/2007	STATUS CHECK					
NEW ZEALAND	2864015	DCA	3/31/2004	PCT/US04/10122			PENDING
	3/31/2007	STATUS CHECK					
	3/31/2009	ANNUITY DUE					
SINGAPORE	2864016	DCA	3/31/2004	PCT/US04/10122			PENDING
	5/20/2007	ISSUE FEE					
	6/19/2007	REQ SEARCH REPORT					
	11/19/2007	PUBLICATION					
	3/31/2008	ANNUITY DUE					
	9/19/2008	TRANSLATIONS					
WIPO	P2864001	CEQ	3/31/2004	PCT/US04/10122			PUBLISHED
SOUTH AFRICA	2864017	DCA	3/31/2004	2006/05051			PENDING
	3/31/2007	STATUS CHECK					
	3/31/2008	ANNUITY DUE					

**METHOD AND APPARATUS FOR GENERATING OXYGEN**

Inventors: JULIAN ROSS

UNITED STATES	P2864002	NEW	7/14/2005	60/699,094			EXPIRED
• UNITED STATES	P2864003	FCA	5/22/2006	11/438,651			PUBLISHED
	6/22/2009	AWT OFFICE ACTION					
WIPO	2864004	CEQ	7/5/2006	PCT/US2006/26489			PUBLISHED
	5/14/2007	DEMAND CHAPTER II					
	11/14/2007	INFORMAL COMMENTS					
	12/5/2007	STATUS CHECK					
	12/14/2007	PREL EXAM STAT CHECK					
	1/14/2008	PCT 30 MO DEADLINE					
CHILE	2864019	CEQ	7/12/2006	1818-2006			PENDING
	1/12/2008	STATUS CHECK					
	7/12/2016	ANNUITY DUE					
MALAYSIA	2864018	CEQ	7/12/2006	PI 20063312			PENDING
	1/12/2008	STATUS CHECK					
	7/12/2008	REQUEST EXAMINATION					
PERU	2864021	CEQ	7/13/2006	838-2006			PENDING
	1/13/2008	STATUS CHECK					
	7/13/2009	ANNUITY DUE					

COUNTRY	REFERENCE#	TYPE	FILED	SERIAL#	ISSUED	PATENT#	STATUS
<i>All Actions Due (Current)</i>							
<b>METHOD AND APPARATUS FOR GENERATING OXYGEN continued . . .</b>							
VENEZUELA	2864020	CEQ	7/14/2006	01827-2006			PENDING
	1/14/2007	PUBLICATION					
	7/14/2007	ANNUITY DUE					
	1/14/2008	STATUS CHECK					

**METHOD AND APPARATUS FOR PROVIDING IMPROVED AVAILABILITY OF BREATHABLE AIR IN A CLOSED CIRCUIT**

Inventors: JULIAN ROSS

9 UNITED STATES	3380000	NEW	1/13/2006	60759,255			PENDING
6 UNITED STATES	3380003	FCA	12/21/2006	11/614,244			PENDING
	3/21/2007	INF DISCLOSURE STMT					
	7/13/2007	PUBLICATION					
	6/21/2008	AWT OFFICE ACTION					
WIPO	3380004	CEQ	1/4/2007	PCT/US07/060072			PENDING
	5/13/2007	AMENDMENT OF CLAIMS					
	5/13/2007	PRIORITY DOCUMENT					
	7/13/2007	PUBLICATION					
	8/13/2007	TRANSITION CHAPTER 2					
	9/13/2007	TRANSITION NAT PHASE					
	11/13/2007	DEMAND CHAPTER II					
	5/13/2008	INFORMAL COMMENTS					
	6/4/2008	STATUS CHECK					
	6/13/2008	PREL EXAM STAT CHECK					
	7/13/2008	PCT 30 MO DEADLINE					
VENEZUELA	3380007	CEQ	1/11/2007	00051-2007			PENDING
	4/18/2007	STATUS CHECK					
	7/13/2007	PUBLICATION					
	1/11/2008	ANNUITY DUE					
	7/11/2008	STATUS CHECK					
CHILE	3380005	CEQ	1/12/2007	0088-2007			PENDING
	4/12/2007	PRIORITY DEADLINE					
	7/12/2008	STATUS CHECK					
	1/12/2017	ANNUITY DUE					
PERU	3380006	CEQ	1/12/2007	000032.2007			PENDING
	7/12/2008	STATUS CHECK					
	1/12/2010	ANNUITY DUE					
0 UNITED STATES	3380009	FCA	1/16/2007	11/623,727			PENDING
	4/8/2007	AWT EXEC DECLARATION					
	4/16/2007	INF DISCLOSURE STMT					
	4/28/2007	MISSING PARTS (2 MO)					
	7/13/2007	PUBLICATION					
	7/16/2008	AWT OFFICE ACTION					
0 UNITED STATES	3380008	FCA	1/16/2007	11/623,721			PENDING
	4/8/2007	AWT EXEC DECLARATION					
	4/16/2007	INF DISCLOSURE STMT					
	5/1/2007	MISSING PARTS (2 MO)					
	7/13/2007	PUBLICATION					
	7/16/2008	AWT OFFICE ACTION					

COUNTRY	REFERENCE#	TYPE	FILED	SERIAL#	ISSUED	PATENT#	STATUS
<i>All Actions Due (Current)</i>							
<b>METHOD AND APPARATUS FOR PROVIDING IMPROVED AVAILABILITY OF BREATHABLE AIR IN A CLOSED</b>							
WIPO	3380010	CEQ	1/16/2007	PCT/US2007/060595			PENDING
	5/13/2007	AMENDMENT OF CLAIMS					
	7/13/2007	PUBLICATION					
	8/13/2007	TRANSITION CHAPTER 2					
	9/13/2007	TRANSITION NAT PHASE					
	11/13/2007	DEMAND CHAPTER II					
	5/13/2008	INFORMAL COMMENTS					
	6/13/2008	PREL EXAM STAT CHECK					
	6/16/2008	STATUS CHECK					
	7/13/2008	PCT 30 MO DEADLINE					

**METHOD AND APPARATUS FOR PROVIDING IMPROVED AVAILABILITY OF BREATHABLE AIR IN A CLOSED CIRCUIT**

Inventors: JULIAN ROSS

UNITED STATES	3380001	NEW	6/16/2006	60/814,340			PENDING
	7/16/2007	UPDATE PRV STATUS					

**OXYGEN PATCH**

Inventors: JULIAN ROSS

UNITED STATES	P3353000	NEW	11/9/2005	60/735,011			EXPIRED
UNITED STATES	3353001	FCA	11/9/2006	11/558,374			PENDING
	12/21/2006	PRELIM AMENDMENT					
	2/9/2007	INF DISCLOSURE STMT					
	5/9/2007	PUBLICATION					
	5/9/2008	AWT OFFICE ACTION					

END OF REPORT

TOTAL ITEMS SELECTED = 68

**EXHIBIT C**

**Trademarks**

**Description**

**Registration/  
Application  
Number**

**Registration/  
Application  
Date**

# OXYSURE TRADEMARKS

NAME	Serial#	Status	Status Date
OXY UP	78/868403	Notice of Allowance	2/27/2007
OXYPURE	78/868919	Notice of Allowance	2/27/2007
OXYSPORT	78/868902	Notice of Allowance	2/27/2007
OXYSURE	78/350924	Notice of Allowance	12/26/2006
OXYSURE & Design	78/874017	Notice of Allowance	2/27/2007
OXYSURE PURE OXYGEN & Design	78/336372	Notice of Allowance	16/08/2005
OXYSURE EMERGENCY OXYGEN & Design	78/870017	Notice of Allowance	2/27/2007
OXYGEN ON DEMAND & Design	78/874059	Notice of Allowance	2/27/2007
OXYSURE WHEN EVERY SECOND COUNTS	78/870040	Notice of Allowance	2/27/2007
OXYSURE WHEN EVERY SECOND COUNTS & Design	78/874029	Notice of Allowance	2/27/2007
TECHNOLOGY @ WORK SAVING LIVES	78/868968	Notice of Allowance	2/27/2007

**EXHIBIT D**

**Mask Works**

**Description**

**Registration/  
Application  
Number**

**Registration/  
Application  
Date**