

06-06-2007

United States Patent and Trademark Office



To the Director of the U.S. Patent

103413574

ed documents or the new address (es) below.

1. Name of conveying party(ies):
SILICON VALLEY BANK

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

Name: **Data Return, LLC**

Internal Address

Street Address: **3333 Warrenville Rd Ste 200**

City: **Lisle**

State: **IL**

Country: **USA**

Zip: **60532**

- 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 25, 2007**

- Assignment
- Security Agreement
- Merger
- Change of Name

Other : **Release**

- 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)

B. Trademark Registration No.(s)

3085801

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: **1**

7. Total fee (37 CFR 2.6 (b)(6) & 3.41): **\$ 40.00**

- 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

40.00 DP
00000005 3085801
06/06/2007 11:06:01
01 FC:8521

9. Signature.

Signature

May 25, 2007

Date

Susana Valdivia

Name of Person Signing

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

TRADEMARK

6-5-07

INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement (this "Agreement") dated as of September 25, 2006 (as defined in the Loan Agreement) is between **SILICON VALLEY BANK** ("Bank") and **DATA RETURN LLC**, a Delaware limited liability company ("Grantor").

RECITALS

A. Bank will make advances to Grantor ("Loans") as described in that certain Loan and Security Agreement dated as of October 28, 2004 (as the same may from time to time be further amended, modified, supplemented or restated, the "Loan Agreement"). Capitalized terms not otherwise defined herein shall the meaning set forth in the Loan Agreement.

B. Bank's agreement to make such advances is subject to, among other things, Grantor's granting to Bank a security interest in Grantor's Copyrights, Trademarks, Patents, and Mask Works and other intellectual property (the "Intellectual Property Collateral").

C. Grantor has granted Bank a security interest in all of its right, title and interest, presently existing or later acquired to all the Collateral.

AGREEMENT

Grantor grants Bank a security interest in all of its right, title and interest in its Intellectual Property Collateral (such as the Copyrights, Patents, Trademarks and Mask Works listed on Schedules A, B, C and D), and all proceeds (such as license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements rights throughout the world and all reissues, divisions, continuations, renewals, extensions and continuations-in-part.

This security interest is granted in conjunction with the security interest granted under the Loan Agreement. Bank's rights and remedies in the security interest are in addition to those in the Loan Agreement and the other Loan Documents, and those available in law or equity. Bank's rights powers and interests are cumulative with every right, power or remedy provided here. Bank's exercise of its rights, powers or remedies in this Agreement, the Loan Agreement or any other Loan Document, does not preclude the simultaneous or later exercise of any or all other right, power or remedy.

BANK:

GRANTOR:

SILICON VALLEY BANK

DATA RETURN LLC,
a Delaware limited liability company

By: Brian K. Brown
Name: Brian K. Brown
Its: Deal Team Leader

By: [Signature]
Name: STEVE J. BROWN
Its: CEO

EXHIBIT A

Copyrights

one

EXHIBIT B**ISSUED PATENTS**

Patent Title	Jurisdiction	Filing Date	Patent No.	Issue Date
SYSTEM AND METHOD OF SYNCHRONIZING REPLICATED DATA	US	8/14/2000	6,529,917	3/4/2003
SYSTEM AND METHOD OF SYNCHRONIZING REPLICATED DATA	US	1/3/2003	6,732,122	5/4/2004
SYSTEM AND METHOD OF SYNCHRONIZING REPLICATED DATA	US	3/4/2003	6,668,260	12/23/2003
SYSTEM AND METHOD FOR ACCESSING INFORMATION IN A REPLICATED DATABASE	US	10/19/2001	6,938,031	8/30/2005
SYSTEM AND METHOD FOR MULTI-SITE CLUSTERING IN A NETWORK	US	10/19/2001	7,000,016	2/14/2006

PENDING PATENTS

Patent Title	Jurisdiction	Filing Date	Application No.	Issue Date
SYSTEM AND METHOD FOR ACCESSING INFORMATION IN A REPLICATED DATABASE	US	8/25/2005	11/211,320	
SYSTEM AND METHOD FOR FACILITATING DEVICE COMMUNICATION, MANAGEMENT AND CONTROL IN A NETWORK	US	4/30/2002	10/136,142	
SYSTEM AND METHOD FOR FACILITATING DEVICE COMMUNICATION, MANAGEMENT AND CONTROL IN A NETWORK	WIPO	4/29/2003	PCT/US03/13506	ABANDONED
SYSTEM AND METHOD OF INTERACTIVE NETWORK SYSTEM DESIGN	US	6/8/2001	09/877,626	

EXHIBIT C**Trademarks**

Trademark	Jurisdiction	Filing Date	Registration No.	Registration Date
DATA RETURN	US	2/3/2000	2619447	9/17/2002
DATA RETURN	US	1/7/2000	2657683	12/10/2002
DATA RETURN	EU	3/3/2000	1539642	6/1/2001
DATA RETURN	UK	2/17/2000	2222801	9/22/2000
DATA RETURN and design	EU	3/3/2000	001539733	6/1/2001
DIGITALOPS	US	11/15/2002	3,085,801	4/25/2006

EXHIBIT D

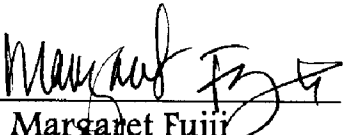
Mask Works

RELEASE OF SECURITY AGREEMENT COVERING
INTERESTS IN TRADEMARKS

Silicon Valley Bank ("Secured Party"), hereby releases its security interest in the interests of **Data Return, LLC** ("Assignor") in the trademarked works set forth in that certain **Intellectual Property And Security Agreement** dated September 25, 2006, executed by Assignor in favor of Secured Party recorded with the United States Department of Commerce, Patent and Trademark Office on November 27, 2006, Reel 3443, Frame 0696.

Dated: **May 25, 2007**

SILICON VALLEY BANK

By: 
Name: Margaret Fujii
Title: Operations Department Manager