# TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY

## **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Jerusalem Venture Partners Entrepreneurs Fund IV, L.P.		03/21/2007	LIMITED PARTNERSHIP:
Jerusalem Venture Partners IV, L.P.		03/21/2007	LIMITED PARTNERSHIP:
Jerusalem Venture Partners IV-A, L.P.		03/21/2007	LIMITED PARTNERSHIP:
Jerusalem Venture Partners IV (Israel), L.P.		03/21/2007	LIMITED PARTNERSHIP:
Walker Investment Fund II SBIC, LP		03/21/2007	LIMITED PARTNERSHIP:
Cisco Systems, Inc.		03/21/2007	CORPORATION:
Copan, Inc.		03/21/2007	CORPORATION:
Adena Ventures, L.P.		03/21/2007	LIMITED PARTNERSHIP:
Worldview Technology Partners IV, L.P.		03/21/2007	LIMITED PARTNERSHIP:
Worldview Technology International IV, L.P.		03/21/2007	LIMITED PARTNERSHIP:
Worldview Strategic Partners IV, L.P.		03/21/2007	LIMITED PARTNERSHIP:

## **RECEIVING PARTY DATA**

Name:	Emergent Game Technologies, Inc.
Street Address:	5016 North Parkway Calabasas, Suite 210
City:	Calabasas
State/Country:	CALIFORNIA
Postal Code:	91302
Entity Type:	CORPORATION:

PROPERTY NUMBERS Total: 3

Property Type	Number	Word Mark

TRADEMARK " REEL: 003604 FRAME: 0349

Registration Number:	2737886	BUTTERFLY.NET
Registration Number:	2756855	ВВ
Serial Number:	78619669	EMERGENT GAME TECHNOLOGIES

## **CORRESPONDENCE DATA**

Fax Number: (310)557-8475

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

Phone: 310 277 2223

Email: ptomaillosangeles@foley.com

Correspondent Name: Jeffrey A. Kobulnick

Address Line 1: 2029 Century Park East, Suite 3500
Address Line 4: Los Angeles, CALIFORNIA 90067

ATTORNEY DOCKET NUMBER:	073899-0103 PPEIAW
NAME OF SUBMITTER:	Jeffrey A. Kobulnick
Signature:	/Jeffrey A. Kobulnick/
Date:	08/17/2007

#### **Total Attachments: 8**

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### TERMINATION AND RELEASE AGREEMENT

This Termination and Release Agreement (the "Agreement") is made effective as of March 21, 2007 by and among Emergent Game Technologies, Inc. (the "Company") and the lenders listed on the signature page hereto (each, a "Lender" and collectively, the "Lenders").

WHEREAS, the Lenders and the Company are parties to that certain Loan and Convertible Promissory Note Purchase Agreement (the "Note Purchase Agreement") dated March 6, 2006, as amended, pursuant to which the Company issued certain Notes (as defined in the Note Purchase Agreement) to the Lenders;

WHEREAS, in conjunction with the Note Purchase Agreement, the Company and the Lenders entered into a Security Agreement, dated March 6, 2006, as amended (the "Security Agreement"), under which the Company granted to the Lenders a security interest in and lien on the Company's rights in or to the Collateral (as defined in the Security Agreement) to secure the payment and performance of the Secured Obligations (as defined in the Security Agreement);

WHEREAS, in conjunction with the Note Purchase Agreement and the Security Agreement, the Lenders filed Trademark Assignments with the U.S. Patent and Trademark Office on March 16, 2006 (recorded at Reel 3270/Frame 0188) and July 7, 2006 (recorded at Reel 3344/Frame 0116) and a Patent Assignment with the U.S. Patent and Trademark Office on June 6, 2006 (#500111744A) (collectively, the "Trademark and Patent Assignments");

WHEREAS, the Lenders and the Company entered into that certain Series D Convertible Preferred Stock Purchase Agreement, dated March 21, 2007, pursuant to which the Notes (as defined in the Note Purchase Agreement) converted into Series D Preferred Stock of the Company; and

WHEREAS, the Secured Obligations have been satisfied and the Notes have been terminated, and it is the desire of the Company and the Lenders to terminate the Security Agreement and release the Trademark and Patent Assignments.

**NOW THEREFORE**, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agrees as follows:

- 1. <u>Termination and Release</u>. The Security Agreement and the Trademark and Patent Assignments are hereby terminated and released and are of no further force or effect. The Lenders hereby authorize the Company to file such documents and agreements with the U.S. Patent and Trademark Office as may be necessary to effect such termination and release.
- 2. <u>Further Assurances</u>. The Company and the Lenders hereby agree to execute and deliver any and all termination statements, releases and other documents as may be necessary or appropriate to carry out the purpose and intent of this Agreement.

[Signature Page Follows]

TRADEMARK REEL: 003604 FRAME: 0351 IN WITNESS WHEREOF, the parties have caused this Termination and Release Agreement to be duly executed and delivered as of the date first set above.

# **COMPANY:** EMERGENT GAME TECHNOLOGIES, INC. Name: Geoffres Selzer Title: President LENDERS: JERUSALEM VENTURE PARTNERS IV, L.P. By: Jerusalem Partners IV, L.P., its General Partner By: JVP Corp IV, its General Partner By: JERUSALEM VENTURE PARTNERS IV-A, L.P. By: Jerusalem Partners IV, L.P., its General Partner By: JVP Corp IV, its General Partner By: JERUSALEM VENTURE PARTNERS ENTREPRENEURS FUND, L.P.: By: Jerusalem Partners IV, L.P., its General Partner By: JVP Corp IV, its General Partner By: JERUSALEM VENTURE PARTNERS IV (ISRAEL), L.P.

By: Jerusalem Partners IV - Venture Capital, L.P., its General Partner

By: JVP Corp IV, its General Partner

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IN WITNESS WHEREOF, the parties have caused this Termination and Release Agreement to be duly executed and delivered as of the date first set above.

# **COMPANY:**

# EMERGENT GAME TECHNOLOGIES, INC.

Dec.
By: Name: Geoffrey Selzer
Title: President
LENDERS:
JERUSALEM VENTURE PARTNERS IV, L.P.
By: Jerusalem Partners IV, L.P., its General Partner
By: JVP Corp IV, its General Partner
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By:
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L.P.;
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By: JVP Corp IV, its General Partner
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By: Jerusalem Partners IV - Venture Capital, L.P., its General Partner
By: JVP Corp IV, its General Partner
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By: Worldview Capital IV, L.P., its General Partner By: Worldview Equity I, L.L.C., its General Partner
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WALKER INVESTMENT FUND II SBIC, LP, a Delaware limited partnership
By: Walker Ventures SBIC, LLC, its general partner
By: Name: Title:
ADENA VENTURES, L.P.  By: Adena Partners LLC, its general partner
By: Name: Title:
CISCO SYSTEMS, INC.
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By: Name: Title:

By:	Worldview Capital IV, L.P., its General Partner
By:	Worldview Equity I, L.L.C., its General Partner
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By:	C. A. C. W. H. F. L. I. I. C.
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**RECORDED: 08/17/2007** 

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