FORM PTO-1594
COMMERCE
(Rev. 07/05)·
OMB No. 0651-0027 (exp. 06/30/2008)

08-24-2007

103439578

U.S. DEPARTMENT OF
United States Patent and Trademark Office

To the Director of the U.S. Pat[...] [...]ached documents or the new address (es) below.

1. Name of conveying party(ies):

SILICON VALLEY BANK

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

☒ Corporation-State
☐ Other

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

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

Execution Date(s): **August 15, 2007**

☐ Assignment   ☐ Merger

☐ Security Agreement   ☐ Change of Name

☒ Other : **Release**

[...] [...]ess of receiving party(ies):

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

Name: **Nextio, Inc.**

Internal Address

Street Address: **12401 Research Blvd Bldg II Ste 200**

City: **Austin**
State: **TX**
Country: **USA**
Zip: **78759**

☐ 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)
3184559

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

9. Signature. _____
                   Signature

Susana Valdivia
Name of Person Signing

August 15, 2007
Date

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

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:Mail
Stop Assignment Recordation Services. Director of the USPTO. P.O. Box 1450. Alexandria. VA 22313-1450

TRADEMARK
REEL: 003610 FRAME: 0007

RELEASE OF SECURITY AGREEMENT COVERING
INTERESTS IN TRADEMARKS

Silicon Valley Bank ("Secured Party"), hereby releases its security interest in the interests of **Nextio, Inc.** ("Assignor") in the trademarked works set forth in that certain **Intellectual Property And Security Agreement** dated, <u>December 20, 2006</u>, executed by Assignor in favor of Secured Party recorded with the United States Department of Commerce, Patent and Trademark Office on <u>January 10, 2007</u>, Reel <u>003464</u>, Frame <u>0141.</u>

Dated: **August 15, 2007**

SILICON VALLEY BANK

By: _____
Name: <u>Margaret Fujii</u>
Title: <u>Operations Department Manager</u>

INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement (this "Agreement") dated as of December 2C, 2006 (as defined in the Loan Agreement) is between **SILICON VALLEY BANK** ("Bank") and **NEXTIO, INC.**, a Delaware corporation ("Grantor").

RECITALS

A.   Bank will make advances to Grantor ("Loans") as described in that certain Loan and Security Agreement dated as of even date herewith (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 have the meaning set forth in the Loan Agreement.

B.   Bank's agreement to make such Loans 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.
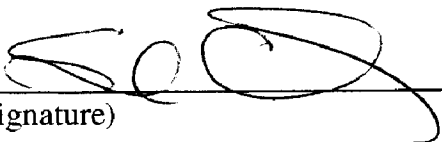
AGREEMENT

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 to 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 rights, powers or remedies.
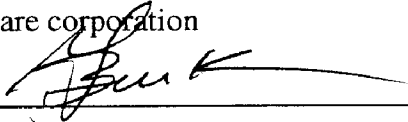
BANK: **GRANTOR:**

SILICON VALLEY BANK   **NEXTIO, INC.**,
                                                  a Delaware corporation

_____   _____
(Signature)   (Signature)

         V P   CFO, SECRETARY
_____   _____
(Title)   (Title)

1

EXHIBIT A

Copyrights

Description	Registration/Application Number	Registration/Application Date

1

Patents

Description	Registration/Application Number	Registration/Application Date
7,103,064 Method and apparatus for shared I/O in a load/store fabric		**September 5, 2006**
1. Fibre channel controller shareable by a plurality of operating system domains within a load-store architecture	20050172047	**January 27, 2005**
2. Fibre channel controller shareable by a plurality of operating system domains within a load-store architecture	20050172041	
3. SWITCHING APPARATUS AND METHOD FOR PROVIDING SHARED I/O WITHIN A LOAD-STORE FABRIC	20060184711	**April 1, 2006**
4. Method and apparatus for shared I/O in a load/store fabric	20060018342	**September 26, 2005**
5. Method and apparatus for a shared I/O network interface controller	20050268137	**February 3, 2005**
6. Network controller for obtaining a plurality of network port identifiers in response to load-store transactions from a corresponding plurality of operating system domains within a load-store architecture	20050157754	**January 27, 2005**
7. Fibre channel controller shareable by a plurality of operating system domains within a load-store architecture	20050157725	**January 27, 2005**
8. Apparatus and method for port polarity initialization in a shared I/O device	20050147117	**January 31, 2005**

1

9.	Switching apparatus and method for link initialization in a shared I/O environment	20050102437	October 25, 2004
10.	Method and apparatus for a shared I/O network interface controller	20050053060	July 30, 2004
11.	Method and apparatus for a shared I/O serial ATA controller	20050027900	June 9, 2004
12.	Switching apparatus and method for providing shared I/O within a load-store fabric	20050025119	April 19, 2004
13.	Switching apparatus and method for providing shared I/O within a load-store fabric	20040268015	April 19, 2004
14.	Switching apparatus and method for providing shared I/O within a load-store fabric	20040260842	April 19, 2004
15.	Shared input/output load-store architecture	20040210678	March 16, 2004
16.	Method and apparatus for shared I/O in a load/store fabric	20040179534	January 14, 2004
17.	Method and apparatus for shared I/O in a load/store fabric	20040179529	January 14, 2004
18.	Method and apparatus for shared I/O in a load/store fabric	20040172494	January 14, 2004

2

EXHIBIT C

Trademarks

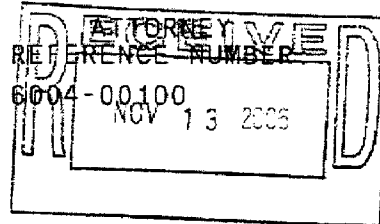| Description	Registration/Application Number	Registration/Application Date

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

Nov 8, 2006

TM104

DWAYNE K. GOETZEL
MEYERTONS, HOOD, KIVLIN, KOWERT, ET AL.
P.O. BOX 398
AUSTIN TX 78767-0398

RECEIVED
ATTORNEY
REFERENCE NUMBER
6004-00100
NOV 1 3 2006

SERIAL NUMBER: 78/499843
MARK: NEXTIO
OWNER: NextIO, Inc.

The Statement of Use (SOU) filed for the trademark application identified above has been accepted. This acceptance means that the mark will register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information please check the USPTO web site at www.uspto.gov or call the Trademark Assistance Center at 1-800-786-9199.

1

Mask Works

Description	Registration/Application Number	Registration/Application Date

2

TRADEMARK
REEL: 003610 FRAME: 0014