

10-17-07

10-18-2007

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



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

103454357

To the Director of the U.S. Pat.

and documents or the new address(es) below.

1. Name of conveying party(ies):

Noetix Corporation

- Individual(s) Association General Partnership Limited Partnership Corporation-State Other

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

2. Name and address of receiving party(ies):

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

Name: Silicon Valley Bank Internal Address Loan Documentation HF 154

Street Address: 3003 Tasman Dr.

City Santa Clara State CA Country USA Zip 95054

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

Execution Date(s): 09/10/07

- 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) 77/196,959

B. Trademark Registration No.(s) 2,430,186 2,172,653

2,590,758 2,558,047 2,558,095 2,558,046

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: Loan Collateral HF154 Street Address: 3003 Tasman Dr. City: Santa Clara State: CA ZIP: 95054 Phone Number: (408) 654-4042 Fax Number: (408) 654-6313 Email Address: ldc@svbank.com

6. Total number of applications and registrations involved: 7

7. Total fee (37 CFR 2.6 (b)(6) & 3.41): \$19000 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

00000004 77196959 40.00 DP 150.00 DP

9. Signature.

[Handwritten Signature] Signature SUSANA VAIDIVIA 40 Shannon Hubbard Name of Person Signing

10/05/07 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

10/18/2007 DBYRNE 01 FC:8521 02 FC:8522

INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement dated September 10, 2007 is between SILICON VALLEY BANK ("Bank") and NOETIX CORPORATION ("Grantor").

RECITALS

A. Bank will make advances to Grantor ("Loans") as described in the Loan and Security Agreement of approximate date herewith (the "Loan Agreement"), subject to, among other things, Grantor granting to Bank a security interest in its Copyrights, Trademarks, Patents, and Mask Works (as each of such terms is defined on Schedule I attached hereto).

B. 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

1. 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, (as specifically listed on Schedules A, B, C, and D hereto), 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 re-issues, divisions continuations, renewals, extensions and continuations-in-part.

2. 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.

Grantor:

NOETIX CORPORATION

By 

Title: 

Bank:

SILICON VALLEY BANK

By 

Title: Relationship Manager

TRADEMARK

REEL: 003644 FRAME: 0782

Schedule I

"Copyrights" are all copyright rights, applications or registrations and like protections in each work or authorship or derivative work, whether published or not (whether or not it is a trade secret) now or later existing, created, acquired or held.

"Patents" are patents, patent applications and like protections, including improvements, divisions, continuations, renewals, reissues, extensions and continuations-in-part of the same.

"Trademarks" are trademark and service mark rights, registered or not, applications to register and registrations and like protections, and the entire goodwill of the business of Assignor connected with the trademarks.

"Mask Works" are all mask works or similar rights available for the protection of semiconductor chips, now owned or later acquired.

EXHIBIT A

Copyrights

Description

Registration/
Application
Number

Registration/
Application
Date

TRADEMARK

REEL: 003644 FRAME: 0784

EXHIBIT B

Patents/Patent Applications

<u>Description</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>
<u>Distributed Data Warehouse Query and Resource Management System</u>	EE01674328905	Registration date 7/28/98
<u>Comuter Implemented System and Method for the Generation of Data Access Applications</u>	EV266587940US	Application date 4/22/03

TRADEMARK

REEL: 003644 FRAME: 0785

EXHIBIT C

Trademarks

Description

Registration/
Application
Number

Registration/
Application
Date

TRADEMARK

REEL: 003644 FRAME: 0786

EXHIBIT D

Mask Works

Description

Registration/
Application
Number

Registration/
Application
Date

none

TRADEMARK

REEL: 003644 FRAME: 0787

Country: Australia

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-910302/AU/	Registered 09,42	925219 29-Aug-2002	925219 14-Apr-2003

Owner Name: Noetix Corporation

Goods: Class 9: Computer software including software used to create business intelligence infrastructure for access to computer databases.

Class 42: Computer consultancy services; computer and computer systems designs services; computer programming; computer system integration services.

Country: Canada

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-910502/CA/	Registered	1115864 18-Sep-2001	TMA619478 14-Sep-2004

Owner Name: Noetix Corporation

Goods: Computer software used to create business intelligence infrastructure for access to computer databases.

Computer consultancy services; computer and computer systems design services; computer programming;
computer system integration services.

Country: European Community

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-910102/EM/	Registered 09,42	2369809 10-Sep-2001	2369809 14-May-2003

Owner Name: Noetix Corporation

Goods: Class 9: Computer software used to create business intelligence infrastructure for access to computer databases.

Class 42: Computer consultancy services; computer and computer systems designs services; computer programming; computer system integration services.

Country: India

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-910702/IN/	ALLOWED 09,42	1240229 29-Sep-2003	

Owner Name: Noetix Corporation

Goods: Class 9: Computer software.

Class 42: Computer consulting services; computer and computer systems design services; computer programming; computer system integration services.

Country: New Zealand

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-910202/NZ/	Published 09,42	769364 30-May-2007	

Owner Name: Noetix Corporation

Goods: Class 9: Computer software programs.

Class 42: Computer consultation and system integration services.

Country: Singapore

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-910402/SG/	Registered 42	T02/136101 04-Sep-2002	T02/136101 04-Sep-2002

Owner Name: Noetix Corporation

Goods: Class 42: Computer consultancy services; computer and computer systems designs services; computer programming; computer system integration services.

NOETIX	352513-910403/SG/	Registered 09	T02/13609E 04-Sep-2002	T02/13609E 04-Sep-2002
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Owner Name: Noetix Corporation

Goods: Class 9: Computer software.

Country: United Arab Emirates

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-910602/AE/	Pending 09	76246 25-Dec-2005	

Owner Name: Noetix Corporation

Goods: Class 9: Computer software.

Country: United States of America

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIX	352513-900113/US/	Pending 42	77/196959 04-Jun-2007	
<i>Owner Name:</i> Noetix Corporation				
<i>Goods:</i> Class 42: Computer consultation and system integration services.				
NOETIX	352513-900112/US/	Registered 09	75/279965 23-Apr-1997	2430186 20-Feb-2001
<i>Owner Name:</i> Noetix Corporation				
<i>Goods:</i> Class 9: Computer software, namely, programs that enhance performance and usability of databases, and software manuals sold as a unit therewith.				
NOETIX & DESIGN	352513-900107/US/	Registered 09	76/129588 15-Sep-2000	2590758 09-Jul-2002
<i>Owner Name:</i> Noetix Corporation				
<i>Goods:</i> Class 9: Computer software programs for use in extraction, manipulation and presentation of data from database management systems, including definition and description of physical data (meta-data), connectivity to multiple and disparate database management systems and presentation of data using various delivery formats such as XML, WAP, WML and other standard formats.				
NOETIX QUERY SERVER	352513-900109/US/	Registered 09	76/064769 07-Jun-2000	2558047 09-Apr-2002
<i>Owner Name:</i> Noetix Corporation				
<i>Goods:</i> Class 9: Computer software, namely, programs that enhance performance and usability of databases by integrating data from multiple servers, managing access to multiple databases and simplifying reporting in a corporate computer environment.				
NOETIX WEB QUERY	352513-900110/US/	Registered 09	76/080104 29-Jun-2000	2558095 09-Apr-2002
<i>Owner Name:</i> Noetix Corporation				
<i>Goods:</i> Class 9: Computer software, namely, software that provides users with secure reports retrieved from data from multiple databases, and that runs and views live reports over the worldwide interactive computer network.				
NOETIXDW	352513-900108/US/	Registered 09	76/064768 07-Jun-2000	2558046 09-Apr-2002
<i>Owner Name:</i> Noetix Corporation				
<i>Goods:</i> Class 9: Computer software, namely, software that manages data warehouse design and reporting, and corporate storage of information on computers.				

Country: United States of America

Trademark	Client-Matter/SubCase	Status Class(es)	Application Number/Date	Registration Number/Date
NOETIXVIEWS	352513-900105/US/	Registered 09	75/279963 23-Apr-1997	2172653 14-Jul-1998

Owner Name: Noetix Corporation

Goods: Class 9: Computer software, namely, programs that enhance performance and usability of databases, and software sold as a unit therewith.