

07-08-2008

U.S. DEPARTMENT OF

United States Patent and Trademark Office



To the Director of the U.S. Patent and

103512494

documents or the new address (es) below.

1. Name of conveying party(ies):

SILICON VALLEY BANK

receiving party(ies):

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

Name: **Commvault Systems, Inc.**

Internal Address

Street Address: **2 Crescent Place**

City: **Oceanport**

State: **NJ**

Country: **USA**

Zip: **07757**

☐ 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): **June 26, 2008**

☐ Assignment

☐ Merger

☐ Security Agreement

☐ 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)

**76443422**

B. Trademark Registration No.(s)

**1650465 2999321**

**2138317**

**2646262**

**2675884**

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: **6**

7. Total fee (37 CFR 2.6 (b)(6) & 3.41): **\$ 165.00**

☐ Authorized to be charged by credit card

☐ Authorized to be charged to deposit account

☒ Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers

07/07/2008 00000139 76443422

01 FC:8521

b. Deposit Account Number

Authorized User Name

40.00 OP  
125.00 OP

9. Signature.

Signature

June 26, 2008

Date

**Susana Valdivia**

Name of Person Signing

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

TRADEMARK

REEL: 003813 FRAME: 0918

**RELEASE OF SECURITY AGREEMENT COVERING  
INTERESTS IN TRADEMARKS**

Silicon Valley Bank ("Secured Party"), hereby releases its security interest in the interests of **Commvault Systems, Inc.** ("Assignor") in the trademarked works set forth in that certain **Intellectual Property And Security Agreement** dated, May 2, 2006, executed by Assignor in favor of Secured Party recorded with the United States Department of Commerce, Patent and Trademark Office on May 8, 2006, Reel 3304 Frame 0355.

Date: **June 26, 2008**

SILICON VALLEY BANK

By:   
Name: **Romil Randhawa**  
Title: **Operations Department Manager**

4  
5 **INTELLECTUAL PROPERTY SECURITY AGREEMENT**  
6

7 This Intellectual Property Security Agreement is entered into as of May 2, 2006 by and between SILICON  
8 VALLEY BANK ("Bank") and Commvault Systems, Inc. ("Grantor").  
9

10  
11 **RECITALS**  
12

13 A. Bank has agreed to make certain advances of money and to extend certain financial  
14 accommodation to Grantor (the "Loans") in the amounts and manner set forth in that certain Loan and Security  
15 Agreement by and between Bank and Grantor dated of even date herewith (as the same may be amended, modified  
16 or supplemented from time to time, the "Loan Agreement"; capitalized terms used herein are used as defined in the  
17 Loan Agreement). Bank is willing to make the Loans to Grantor, but only upon the condition, among others, that  
18 Grantor shall grant to Bank a security interest in certain Copyrights, Trademarks and Patents to secure the  
19 obligations of Grantor under the Loan Agreement.  
20

21 B. Pursuant to the terms of the Loan Agreement, Grantor has granted to Bank a security interest in all  
22 of Grantor's right, title and interest, whether presently existing or hereafter acquired, in, to and under all of the  
23 Collateral.  
24

25 NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and  
26 intending to be legally bound, as collateral security for the prompt and complete payment when due of its  
27 obligations under the Loan Agreement, Grantor hereby represents, warrants, covenants and agrees as follows:  
28

29 **AGREEMENT**  
30

31 To secure its obligations under the Loan Agreement, Grantor grants and pledges to Bank a security interest  
32 in all of Grantor's right, title and interest in, to and under its Intellectual Property Collateral (including without  
33 limitation those Copyrights, Patents and Trademarks listed on Schedules A, B and C hereto), and including without  
34 limitation all proceeds thereof (such as, by way of example but not by way of limitation, license royalties and  
35 proceeds of infringement suits), the right to sue for past, present and future infringements, all rights corresponding  
36 thereto throughout the world and all re-issues, divisions continuations, renewals, extensions and continuations-in-  
37 part thereof.  
38

39 This security interest is granted in conjunction with the security interest granted to Bank under the Loan  
40 Agreement. The rights and remedies of Bank with respect to the security interest granted hereby are in addition to  
41 those set forth in the Loan Agreement and the other Loan Documents, and those which are now or hereafter  
42 available to Bank as a matter of law or equity. Each right, power and remedy of Bank provided for herein or in the  
43 Loan Agreement or any of the Loan Documents, or now or hereafter existing at law or in equity shall be cumulative  
44 and concurrent and shall be in addition to every right, power or remedy provided for herein and the exercise by Bank  
45 of any one or more of the rights, powers or remedies provided for in this Intellectual Property Security Agreement,  
46 the Loan Agreement or any of the other Loan Documents, or now or hereafter existing at law or in equity, shall not  
47 preclude the simultaneous or later exercise by any person, including Bank, of any or all other rights, powers or  
48 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.

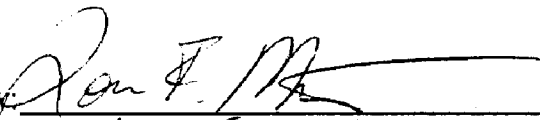
GRANTOR:

Address of Grantor:

COMMVAULT SYSTEMS, INC.

2 Crescent Place  
Oceanport, New Jersey 07757-0900

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

By:   
Name: Louis F. Miceli  
Title: CFO

BANK:

Address of Bank:

SILICON VALLEY BANK

3003 Tasman Drive  
Santa Clara, CA 95054-1191

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

By: \_\_\_\_\_  
Name:  
Title:

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

GRANTOR:

COMMVAULT SYSTEMS, INC.

Address of Grantor:

2 Crescent Place  
Oceanport, NJ 07757-0900  
Attn: Lou Miceli, Chief Financial Officer

By: \_\_\_\_\_

Title: \_\_\_\_\_

BANK:

SILICON VALLEY BANK

Address of Bank:

3003 Tasman Drive  
Santa Clara, CA 95054-1191

By: Richard White

Title: Relationship Manager

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

68  
69  
70  
71  
72

COMMVAULT SYSTEMS, INC.

Schedule A - Copyrights

<u>Title</u>	<u>Registration Number</u>	<u>Registration Date</u>	<u>Owner</u>	<u>Security Interest</u>
N/A	N/A	N/A	N/A	N/A

73

## Schedule B - Trademarks

<u>Mark</u>	<u>Status</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>	<u>Owner</u>	<u>Security Interest</u>
UNIFIED DATA MANAGEMENT	Registered	2999321	9/20/2005	CommVault Systems, Inc.	None recorded
COMMVAULT GALAXY & Design	Registered	2646262	11/5/2002	CommVault Systems, Inc.	None recorded
COMMVAULT GALAXY & Design	Registered	2675884	1/21/2003	CommVault Systems, Inc.	None recorded
COMMVAULT SYSTEMS & Design	Registered	2138317	2/24/1998	CommVault Systems, Inc.	1. Fleet National Bank (recorded 10/7/1997 at reel 1648/frame 0520) 2. IBJ Schroder Business Credit Corporation (recorded 8/11/1998 at reel 1772/frame 0702 and 5/26/2000 at reel 2092/frame 0596)
COMMVAULT	Renewed	1650465	7/9/1991	CommVault Systems, Inc.	1. Fleet National Bank (recorded 9/20/1996 at reel 1524/frame 0713) 2. Fleet National Bank (recorded 10/7/1997 at reel 1648/frame 0520) 3. IBJ Schroder Business Credit Corporation (recorded 8/11/1998 at reel 1772/frame 0702 and 5/26/2000 at reel 2092/frame 0596)
QINETIX	Pending- suspended	76-443422	8/22/2002	CommVault Systems, Inc.	None recorded
DBVAULT	Cancelled	1931882	10/31/1995	CommVault Systems, Inc.	1. Fleet National Bank (recorded 10/7/1997 at reel 1648/frame 0520) 2. IBJ Schroder Business Credit Corporation (recorded 8/11/1998 at reel 1772/frame 0702 and 5/26/2000 at reel

<u>Mark</u>	<u>Status</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>	<u>Owner</u>	<u>Security Interest</u>
					2092/frame 0596)
PCVAULT	Cancelled	1834360	5/3/1994	CommVault Systems, Inc.	1. Fleet National Bank (recorded 10/7/1997 at reel 1648/frame 0520) 2. IBJ Schroder Business Credit Corporation (recorded 8/11/1998 at reel 1772/frame 0702 and 5/26/2000 at reel 2092/frame 0596)
SIMPLIFY. AUTOMATE. UNIFY.	Abandoned	76-615282	10/12/2004	CommVault Systems, Inc.	None recorded



## Schedule C – Patents/Patent Applications

<u>Title</u>	<u>Patent/Patent Application Number (Publication Number)</u>	<u>Issue/Filing Date</u>	<u>Owner/ Assignee</u>	<u>Security Interest</u>
INCREMENTAL COMPUTER FILE BACKUP USING CHECK WORDS	5,559,991	09/24/1996	Commvault Systems, Inc.	Fleet National Bank (8216/0900; 8761/0577); and IBJ Schroeder Business Credit Corporation (16135/0671). PTO records also indicate Assignment from Commvault to IBJ Schroeder on 7/21/1998 (9386/951)
A METHOD OF MAKING A BACKUP COPY OF A MEMORY OVER A PLURALITY OF COPYING SESSIONS	5,642,496	06/24/1997	Commvault Systems, Inc.	Fleet National Bank (8216/0900; 8761/0577); and IBJ Schroeder Business Credit Corporation (16135/0671). PTO records also indicate Assignment from Commvault to IBJ Schroeder on 7/21/1998 (9386/951)
PIPELINED HIGH SPEED DATA TRANSFER MECHANISM	6,418,478	07/09/2002	Commvault Systems, Inc.	None recorded
LOGICAL VIEW AND ACCESS TO PHYSICAL STORAGE IN MODULAR DATA AND STORAGE MANAGEMENT SYSTEM	6,542,972 (2001/0034812)	04/01/2003	Commvault Systems, Inc.	None recorded
LOGICAL VIEW AND ACCESS TO DATA MANAGED BY A MODULAR DATA AND STORAGE MANAGEMENT SYSTEM	6,658,436 (2001/0047368)	12/02/2003	Commvault Systems, Inc.	None recorded
STORAGE MANAGEMENT ACROSS MULTIPLE TIME ZONES	6,760,723 (2001/0029512)	07/06/2004	Commvault Systems, Inc.	None recorded
LOGICAL VIEW WITH GRANULAR ACCESS TO EXCHANGE DATA MANAGED BY A MODULAR DATA AND STORAGE MANAGEMENT SYSTEM	7,003,641 (2001/0047459)	02/21/2006	Commvault Systems, Inc.	None recorded
Email attachment management in a computer system	09/774,272 (2001/0047389)	01/30/2001	Commvault Systems, Inc.	None recorded
Storage of application specific profiles correlating to document versions	09/882,438 (2001/0047381)	06/14/2001	Commvault Systems, Inc.	None recorded

<u>Title</u>	<u>Patent/Patent Application Number (Publication Number)</u>	<u>Issue/Filing Date</u>	<u>Owner/ Assignee</u>	<u>Security Interest</u>
Method and system for scheduling media exports	09/991,900 (2003/0101155)	11/23/2001	Commvault Systems, Inc.	None recorded
PIPELINED HIGH SPEED DATA TRANSFER MECHANISM	10/144,683 (2002/0188691)	05/13/2002	Commvault Systems, Inc.	None recorded
System and method for generating and managing quick recovery volumes	10/262,556 (2004/0010487)	09/30/2002	Commvault Systems, Inc.	None recorded
Dynamic storage device pooling in a computer system	10/658,095 (2004/0221114)	09/09/2003	Commvault Systems, Inc.	None recorded
System and method for blind media support	10/663,383 (2004/0225634)	09/16/2003	Commvault Systems, Inc.	None recorded
Combined stream auxiliary copy system and method	10/663,384 (2004/0225834)	09/16/2003	Commvault Systems, Inc.	None recorded
System and method for managing stored data	10/681,386 (2004/0250033)	10/07/2003	Commvault Systems, Inc.	None recorded
Logical view and access to data managed by a modular data and storage management system	10/720,842 (2004/0167942)	11/24/2003	Commvault Systems, Inc.	None recorded
System and method for performing storage operations through a firewall	10/818,747 (2005/0039051)	04/05/2004	Commvault Systems, Inc.	None recorded
System and method for dynamically performing storage operations in a computer network	10/818,749 (2005/0044114)	04/05/2004	Commvault Systems, Inc.	None recorded
System and method for extended media retention	10/818,750 (2005/0033755)	04/05/2004	Commvault Systems, Inc.	None recorded
System and method for dynamically sharing media in a computer network	10/819,097 (2005/0044316)	04/05/2004	Commvault Systems, Inc.	None recorded
System and method for dynamically sharing storage volumes in a computer network	10/819,101 (2005/0033756)	04/05/2004	Commvault Systems, Inc.	None recorded
Method and system for controlling a robotic arm in a storage device	10/819,102 (2005/0033913)	04/05/2004	Commvault Systems, Inc.	None recorded
Remote disaster data recovery system and method	10/819,103 (2005/0039069)	04/05/2004	Commvault Systems, Inc.	None recorded
Hierarchical system and method for performing storage operations in a	10/877,831	06/25/2004	Commvault Systems, Inc.	None recorded

<u>Title</u>	<u>Patent/Patent Application Number (Publication Number)</u>	<u>Issue/Filing Date</u>	<u>Owner/ Assignee</u>	<u>Security Interest</u>
computer network	(2005/0033800)			
System and method for stored data archive verification	10/990,286 (2005/0246376)	11/15/2004	Commvault Systems, Inc.	None recorded
System and method for performing a snapshot and for restoring data	10/990,336 (2005/0187992)	11/15/2004	Commvault Systems, Inc.	None recorded
System and method for performing an image level snapshot and for restoring partial volume data	10/990,353 (2005/0193026)	11/15/2004	Commvault Systems, Inc.	None recorded
System and method for combining data streams in pipelined storage operations in a storage network	10/990,357 (2005/0246510)	11/15/2004	Commvault Systems, Inc.	None recorded
Systems and methods for performing storage operations using network attached storage	10/990,360 (2006/0010154)	11/15/2004	Commvault Systems, Inc.	None recorded
System and method for data storage and tracking	10/990,363 (2005/0174869)	11/15/2004	Commvault Systems, Inc.	None recorded
Application Specific Objects Archiving and Retrieval System	10/260,209 (2004/0167941)	9/30/2002		
Extensible Configuration Engine System and Method	11/313,268	12/19/2005		
Hierarchal Backup And Retrieval System	09/354,058	7/15/1999		
Hierarchal System And Method For Performing Storage Operations In A Computer Network	10/877,831	6/25/2004		
Hierarchal System And Method For Providing A Unified View of Storage Information	11/120,619	5/5/2005		
High Speed Data Transfer Mechanism	09/495,751	2/1/2000		
Logical View With Granular Access to Exchange Data Managed By a Modular Data Storage Management System	11/302,528	12/12/2005		
Method And System For Grouping Storage System Components	11/269,519	11/7/2005		
Method And System For Monitoring A Storage Network	11/269,513	11/7/2005		
Method And System For Selectively Deleting Stored Data	11/269,521	11/7/2005		

<u>Title</u>	<u>Patent/Patent Application Number (Publication Number)</u>	<u>Issue/Filing Date</u>	<u>Owner/ Assignee</u>	<u>Security Interest</u>
Method And System For Transferring Data In A Storage Operation	11/029,211	1/3/2005		
Method And System Of Pooling Storage Devices	11/269,514	11/7/2005		
Modular Backup And Retrieval System	09/354,063	7/15/1999		
Modular Backup And Retrieval System Used In Conjunction With A Storage Area	09/610,738	7/6/2000		
Modular Backup And Retrieval System With An Integrated Storage Area File System	09/609,977	7/5/2000		
Selective Data Replication System And Method	10/303,640	11/25/2002		
Stored Data Reverification Management System And Method	11/313,226	12/19/2005		
System And Method For Containerized Data Storage And Tracking	11/313,256	12/19/2005		
System And Method For Establishing Referential Consistency In Storage Operations	60/752,204	12/19/2005		
System And Method For Hierarchical Client Group Management	60/752,197	12/19/2005		
System And Method For Improved Media Identification In A Storage Device	11/313,267	12/19/2005		
System And Method For Performing Auxiliary Storage Operations	11/269,119	11/8/2005		
System And Method For Performing Integrated Storage Operations	10/989,893	11/15/2004		
System And Method For Performing Multi-Path Storage	11/313,224	12/19/2005		
System And Method For Performing Multistream Storage Operations	11/269,520	11/7/2005		
System And Method For Performing Replication Copy Storage	11/313,257	12/19/2005		
System And Method For Performing Time-Flexible Calendric Storage	11/313,225	12/19/2005		
System And Method For Providing Encryption In Pipelined Storage Operations In A Storage Network	10/990,284	11/15/2004		

<u>Title</u>	<u>Patent/Patent Application Number (Publication Number)</u>	<u>Issue/Filing Date</u>	<u>Owner/ Assignee</u>	<u>Security Interest</u>
System And Method To Support Simulated Storage Operations	11/269,136	11/8/2005		
System And Method To Support Single Instance Storage Operations	11/269,512	11/7/2005		
Systems And Method For Classifying Information In A Storage Network	60/740,686	11/28/2005		
Systems And Methods For Generating Configuration Metrics In A Storage Network	11/313,229	12/19/2005		
Systems And Methods For Storage Modeling & Costing	11/120,634	5/2/2005		
Systems And Methods For Recovering electronic Information From A Storage Medium	11/269,515	11/7/2005		
Systems And Methods For Detecting & Mitigating Storage Risks	11/120,661	5/2/2205		
Systems And Methods For Generating A Storage-Related Metric	11/120,662	5/2/2005		
Systems And Methods Of Unified Reconstruction In Storage Systems	60/752,202	12/19/2005		

80