## TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: **NEW ASSIGNMENT** 

NATURE OF CONVEYANCE: SECURITY INTEREST

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Simtone Corporation		02/06/2009	CORPORATION: DELAWARE

### **RECEIVING PARTY DATA**

Name:	Bank of Utah	
Street Address:	200 East South Temple	
Internal Address:	Suite 210	
City:	Salt Lake City	
State/Country:	UTAH	
Postal Code:	84111	
Entity Type:	CORPORATION: UTAH	

PROPERTY NUMBERS Total: 3

Property Type	Number	Word Mark
Registration Number:	3283370	SIMTONE
Registration Number:	3450121	VDU
Registration Number:	2800999	XDS

### CORRESPONDENCE DATA

Fax Number: (212)318-3400

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

Phone: 212-318-3000

nyipdocket@fulbright.com, cfoley@fulbright.com, Email:

hrosenberg@fulbright.com

Correspondent Name: Colin Foley Address Line 1: 666 Fifth Avenue

Address Line 2: Fulbright & Jaworski L.L.P. New York, NEW YORK 10103 Address Line 4:

ATTORNEY DOCKET NUMBER: 10111939-XDS 800, 808,809

> TRADEMARK **REEL: 003936 FRAME: 0100**

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NAME OF SUBMITTER:	Colin Foley		
Signature:	/Colin Foley/		
Date:	02/13/2009		
Total Attachments: 2			

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## ASSIGNMENT OF TRADEMARK SECURITY INTEREST

WHEREAS, SIMTONE CORPORATION, a Delaware corporation located at 2530 Meridian Parkway - 3rd Floor, Durham, NC 27713 ("Borrower"), owns the trademark registrations in the United States Patent and Trademark Office shown in the attached Schedule A (the "Trademarks");

WHEREAS, Borrower pursuant to a security agreement, dated January 2009 (the "Security Agreement") is obliged to The Bank of Utah, ("Collateral Agent") located at 200 E. South Temple, Suite 210, Salt Lake City, Utah 84111; and

WHEREAS, pursuant to the Security Agreement, Borrower is granting to Collateral Agent a security interest, but not an ownership interest, to all Borrower's right, title, and interest in, to and under the Trademarks and the goodwill associated therewith;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Borrower does hereby assign unto Collateral Agent and grant to Collateral Agent a security interest in and to the Trademarks, which assignment and security interest shall secure all the Obligations (as defined in the Security Agreement) in accordance with the terms and provisions of the Security Agreement.

Borrower expressly acknowledges and affirms that the rights and remedies of Collateral Agent with respect to the assignment and security interest granted hereby are more fully set forth in the Security Agreement.

Dated: New York, New York February 6, 2009

SIMTONE CORPORATION

Name:

Title: Sugar FVF 10 (F

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# SCHEDULE A

Mark	Country	Serial No.	Registration No.	Registration Date	Listed Owner
SIMTONE	US	76/616,018	3,283,370	21-Aug-2007	SIMtone Corp.
VDU	US	77/039,716	3,450,121	17-Jun-2008	SIMtone Corp.
XDS	US	76/363,402	2,800,999	30-Dec-2003	SIMtone Corp.

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**RECORDED: 02/13/2009** 

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TRADEMARK
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