

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
MIDCAP FINANCIAL SBIC, LP, as Administrative Agent		06/28/2013	LIMITED PARTNERSHIP: DELAWARE
RECEIVING PARTY DATA			
Name:	ATHEROTECH, INC.		
Street Address:	201 London Parkway, Suite 400		
City:	Birmingham		
State/Country:	ALABAMA		
Postal Code:	35211		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 7			
Property Type	Number	Word Mark	
Registration Number:	3237258	THE VAP CHOLESTEROL TEST	
Registration Number:	2758837	VAP	
Serial Number:	85033284	THE LIPID LIBRARY A RESOURCE FROM ATHERO	
Serial Number:	85033179	ATHEROTECH	
Serial Number:	85049322	THE VAP TEST FROM ATHEROTECH	
Serial Number:	85049360	OUR HEALTHY HEART DISEASE MANAGEMENT FRO	
Serial Number:	85049365	ATHEROTECH DIAGNOSTICS LAB	
CORRESPONDENCE DATA			
Fax Number:	2123553333		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	2124597136		
Email:	tbennett@goodwinprocter.com		
Correspondent Name:	Tracey D. Bennett		
Address Line 1:	c/o Goodwin Procter LLP		

OP \$190.00 3237258

Address Line 2: 620 Eighth Avenue
Address Line 4: New York, NEW YORK 10018

ATTORNEY DOCKET NUMBER:	127132-224241
NAME OF SUBMITTER:	Tracey D. Bennett
Signature:	/s/Tracey D. Bennett
Date:	06/28/2013

Total Attachments: 3
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TRADEMARK RELEASE AND REASSIGNMENT

THIS TRADEMARK RELEASE AND REASSIGNMENT is made as of June 28, 2013, by MIDCAP FINANCIAL SBIC, LP, as Administrative Agent ("Agent"). Capitalized terms used but not defined herein shall have the same meanings assigned to such terms in the Security Agreement (as defined below).

WITNESSETH:

WHEREAS, ATHEROTECH, INC., a Delaware corporation ("Grantor"), and Agent were parties to a Trademark Security Agreement dated as of December 23, 2010 (the "Security Agreement"), pursuant to which Grantor granted a security interest to Agent in certain trademarks ("Trademarks") and Trademark Collateral (as defined below) as security for certain obligations owing by Grantor to Agent, including the Trademarks set forth on Schedule 1 hereto; and

WHEREAS, the Security Agreement was recorded by the Trademark Division of the United States Patent and Trademark Office on December 23, 2010, at Reel 4440, Frame 0813, and on January 18, 2011, at Reel 4455, Frame 0194; and

WHEREAS, Grantor has requested that Agent release its security interest in the Trademarks and Trademark Collateral and reassign any and all rights in the same to the Grantor.

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

1. Agent hereby releases its security interest in all of Grantor's right, title and interest in and to the following (collectively the "Trademark Collateral"):

(i) all Trademarks, including without limitation each registered Trademark and application for Trademark listed on Schedule 1 annexed hereto, together with any reissues, continuations or extensions thereof, and all of the goodwill of the business connected with the use of, and symbolized by, each Trademark; and

(ii) all products and proceeds of the foregoing, including without limitation, any claim by Grantor against third parties for past, present or future (a) infringement or dilution of any Trademark, or (b) injury to the goodwill associated with any Trademark.

2. Agent hereby reassigns, grants and conveys to Grantor, without any representation, recourse or undertaking by Agent, any and all of Agent's right, title and interest in and to the Trademarks and the Trademark Collateral.

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IN WITNESS WHEREOF, Agent has caused this Trademark Release and Reassignment to be executed as of the day and year first above written.

MIDCAP FINANCIAL SBIC, LP, as Administrative Agent

By: MidCap Financial SBIC GP, LLC, its General Partner

By: 
Name: Luis Viera
Title: Authorized Signatory Managing Director

SCHEDULE 1

TRADEMARK REGISTRATIONS

<u>Owner</u>	<u>Trademark Description</u>	<u>U.S. Registration No.</u>	<u>Registration Date</u>
Atherotech, Inc.	"THE VAP CHOLESTEROL TEST," word and design	3,237,258	May 1, 2007
Atherotech, Inc.	"VAP"	2,758,837	September 2, 2003

TRADEMARK APPLICATIONS

<u>Applicant</u>	<u>Trademark Description</u>	<u>U.S. Trademark Application No.</u>	<u>Filing Date</u>
Atherotech, Inc.	"THE LIPID LIBRARY A RESOURCE FROM ATHEROTECH," word and design	85033284	May 7, 2010
Atherotech, Inc.	"ATHEROTECH"	85033179	May 7, 2010
Atherotech, Inc.	"THE VAP TEST FROM ATHEROTECH," word and design	85049322	May 27, 2010
Atherotech, Inc.	"OUR HEALTHY HEART DISEASE MANAGEMENT FROM ATHEROTECH," word and design	85049360	May 27, 2010
Atherotech, Inc.	"ATHEROTECH DIAGNOSTICS LAB," word and design	85049365	May 27, 2010