

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
OptiScan Biomedical Corporation		12/12/2013	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	East West Bank		
Street Address:	2350 Mission College Blvd., Suite 988		
Internal Address:	Attn: Linda LeBeau, Managing Director		
City:	Santa Clara		
State/Country:	CALIFORNIA		
Postal Code:	95054		
Entity Type:	CORPORATION: CALIFORNIA		
PROPERTY NUMBERS Total: 3			
Property Type	Number	Word Mark	
Serial Number:	77738076	OPTISCANNER	
Serial Number:	77464409	DETECTING CHANGES FASTER IN THE CRITICAL	
Serial Number:	77124988	OPTISCAN	
CORRESPONDENCE DATA			
Fax Number:	8586385130		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	858-677-1400		
Email:	susan.reynholds@dlapiper.com		
Correspondent Name:	DLA Piper LLP (US)		
Address Line 1:	4365 Executive Drive, Suite 1100		
Address Line 4:	San Diego, CALIFORNIA 92121		
ATTORNEY DOCKET NUMBER:	381874-6		
NAME OF SUBMITTER:	Troy Zander		

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TRADEMARK
 REEL: 005173 FRAME: 0831

Signature:	/s/ Troy Zander
Date:	12/13/2013
Total Attachments: 10 source=OptiScan IPSA#page1.tif source=OptiScan IPSA#page2.tif source=OptiScan IPSA#page3.tif source=OptiScan IPSA#page4.tif source=OptiScan IPSA#page5.tif source=OptiScan IPSA#page6.tif source=OptiScan IPSA#page7.tif source=OptiScan IPSA#page8.tif source=OptiScan IPSA#page9.tif source=OptiScan IPSA#page10.tif	

INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement is entered into as of December 12, 2013 by and between EAST WEST BANK ("Bank") and OPTISCAN BIOMEDICAL CORPORATION, a Delaware corporation ("Grantor").

RECITALS

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

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

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and intending to be legally bound, as collateral security for the prompt and complete payment when due of its obligations under the Loan Agreement and all other agreements now existing or hereafter arising between Grantor and Bank, Grantor hereby represents, warrants, covenants and agrees as follows:

AGREEMENT

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

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

Grantor represents and warrants that Exhibits A, B, and C attached hereto set forth any and all intellectual property rights in connection to which Grantor has registered or filed an application with either the United States Patent and Trademark Office or the United States Copyright Office, as applicable.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute the same instrument.

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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.

Address of Grantor:

21021 Corsair Blvd.
Hayward, CA 94545

Attn: Chief Executive Officer

GRANTOR:

OPTISCAN BIOMEDICAL CORPORATION

By: 

Title: Chairman & CEO

Address of Bank:

2350 Mission College Blvd., Suite 988
Santa Clara, CA 95054
Attn: Linda LeBeau, Managing Director
FAX: (408) 588-9688

BANK:

EAST WEST BANK

By: 

Title: Linda S LeBeau
Managing Director, Life Sciences

[Signature Page to Intellectual Property Security Agreement]

EXHIBIT A

Copyrights

Description

Registration
Number

Registration Date

None Registered

EXHIBIT B

Patents

<u>Description</u>	<u>Patent/App. No.</u>	<u>File/Issue Date</u>
Noninvasive pulsed infrared spectrophotometer	5313941	5/24/94
Self-emission noninvasive infrared spectrophotometer	5515847	5/14/96
Self-emission noninvasive infrared spectrophotometer with body temperature compensation	5615672	4/1/97
Multichannel infrared detector with optical concentrators for each channel	5877500	3/2/99
Subsurface thermal gradient spectrometry	5900632	5/4/99
Noninvasive infrared absorption spectrophotometer for measuring glucose or other constituents in a human or other body	6025597	2/15/00
Subsurface thermal gradient spectrometry	6049081	4/11/00
Non-invasive infrared absorption spectrophotometer for generation and capture of thermal gradient spectra from living tissue	6072180	6/6/00
Method for determining analyte concentration using periodic temperature modulation and phase detection	6161028	12/12/00
Devices and methods for calibration of a thermal gradient spectrometer	6196046	3/6/01
Solid-state non-invasive infrared absorption spectrometer for the generation and capture of thermal gradient spectra from living tissue	6198949	3/6/01
Method for determining analyte concentration using periodic temperature modulation and phase detection	6556850	4/29/03
Method for determining analyte concentration using periodic temperature modulation and phase detection	6577885	6/10/03
Method for determining analyte concentration using periodic temperature modulation and phase detection	6577885	6/10/03
Method and apparatus for determining analyte concentration using phase and magnitude detection of a radiation transfer function	6580934	6/17/03
Device for isolating regions of living tissue	6631282	10/7/03
Solid-state non-invasive thermal cycling spectrometer	6633771	10/14/03
Solid-state non-invasive infrared absorption spectrometer for the generation and capture of thermal gradient spectra from living tissue	6636753	10/21/03
Glucose monitoring instrument having network connectivity	6645142	11/11/03
Calibrator configured for use with noninvasive analyte-concentration monitor and employing traditional measurements	6678542	1/13/04
Method for determining analyte concentration in a sample from an absorption spectrum	6731961	5/4/04
Sample adapter	6771993	8/3/04
Method for adjusting a blood analyte measurement	6825044	11/30/04
Method for transforming phase spectra to absorption spectra	6862534	3/1/05
Method and apparatus for adjusting signal variation of an electronically controlled infrared transmissive window	6917038	7/12/05
Analyte detection system with software download capabilities	6931328	8/16/05
Method and apparatus for determining analyte concentration using phase and magnitude detection of a radiation transfer function	6944486	9/13/05
Reagent-less whole-blood glucose meter	6958809	10/25/05

<u>Description</u>	<u>Patent/App. No.</u>	<u>File/Issue Date</u>
Device for capturing thermal spectra from tissue	6959211	10/25/05
Layered spectroscopic sample element with microporous membrane	6983177	1/3/06
Device and method for in vitro determination of analyte concentrations within body fluids	6989891	1/24/06
Method and apparatus for determining analyte concentration using periodic temperature modulation and phase detection	7006857	2/28/06
Pathlength-independent methods for optically determining material composition	7009180	3/7/06
Reagent-less whole-blood glucose meter	7050157	5/23/06
Device and method for in vitro determination of analyte concentrations within body fluids	7061593	6/13/06
Method for determining an analyte concentration in a sample from an absorption spectrum	7096124	8/22/06
Method of determining analyte concentration in a sample using infrared transmission data	7271912	9/18/07
Anti-clotting apparatus and methods for fluid handling system	7364562	4/29/08
Method and apparatus for determining analyte concentration in a sample having interferences	7388202	6/17/08
Device and method for in vitro determination of analyte concentrations within body fluids	7480032	1/20/09
Fluid handling cassette having a spectroscopic sample cell	7481787	1/27/09
Method of determining analyte concentration in a sample using infrared transmission data	7593108	9/22/09
System and method for determining a treatment dose for a patient	7785258	8/31/10
Analyte detection system with reduced sample volume	7860542	12/28/10
Analyte detection system with reduced sample volume	7860543	12/28/10
Fluid handling cassette with a fluid control interface and sample separator	7907985	3/15/11
Anti-clotting apparatus and methods for fluid handling system	8034015	10/11/11
Analyte detection system for multiple analytes	8140140	3/20/12
Anti-clotting apparatus and methods for fluid handling system	8425444	4/23/13
Blanking standard for non-invasive optical measurement	09971312	10/3/01
Site selection for determining analyte concentration in living tissue	10189978	7/3/02
Method and apparatus for detection of multiple analytes	7722537	5/25/10
Fluid component analysis system and method for glucose monitoring and control	7972296	7/5/11
Systems and methods for determining physiological parameters using measured analyte values	8412293	4/2/13
Fluid component analysis system and method for glucose monitoring and control	8417311	4/9/13
Fluid injection and safety system	8470241	6/25/13
Fluid handling cassette	8491501	7/23/13
Method and apparatus for improving clinical accuracy of analyte measurements	10268599	10/9/02
Window assembly	10283390	10/29/02

<u>Description</u>	<u>Patent/App. No.</u>	<u>File/Issue Date</u>
Method and apparatus for improving the accuracy of alternative site analyte concentration measurements	10302071	11/21/02
Cartridge lance	10338061	1/6/03
Wearable device for measuring analyte concentration	10338092	1/6/03
Sample element for reagentless whole blood glucose meter	10338131	1/6/03
Active sample collection system for analyte detection apparatus	10374545	2/24/03
Solid-state non-invasive thermal cycling spectrometer	10684857	10/14/03
Sample element qualification	10824933	4/15/04
Analyte detection system	10824946	4/15/04
Sample element with barrier material	10825223	4/15/04
System and method for managing a chronic medical condition	10826004	4/15/04
Dual measurement analyte detection system	10826006	4/15/04
Sample element for use in material analysis	10877965	6/25/04
Active sample collection system for analyte detection apparatus	10374545	2/24/03
Analyte detection system with software download capabilities	11106352	4/14/05
Vent configuration for sample element	11123426	5/6/05
Method of treating diabetes	11256277	10/21/05
Method and apparatus for calibrating an analyte detection system with a calibration sample	11314161	12/21/05
Systems and methods for automatic control of marketing actions	11314713	12/21/05
Methods and apparatus for extracting and analyzing a component of a bodily fluid	11314748	12/21/05
Analyte detection system with interferent identification and correction	11314803	12/21/05
Method and apparatus for enhancing accuracy of an analyte detection system	11314961	12/21/05
Fluid handling cassette having a fluid transport network	11314963	12/21/05
Method of extracting and analyzing the composition of bodily fluids	11314964	12/21/05
Analyte detection system with distributed sensing	11316205	12/21/05
Site selection for determining analyte concentration in living tissue	10189978	7/3/02
Sample element with barrier material and vacuum	10913666	8/6/04
Dermal lance with nerve stimulus	11091744	3/28/05
Sample element with fringing-reduction capabilities	11124547	5/6/05
Analyte detection system with periodic sample draw and body fluid analyzer	11316212	12/21/05
Apparatus and methods for analyzing body fluid samples	1316407	12/21/05
System and method for assessing measurements made by a body fluid analyzing device	11316411	12/21/05
Near-patient module for analyte detection system	11316681	12/21/05
Analyte detection system with periodic sample draw and laboratory-grade analyzer	11316684	12/21/05
Methods and apparatus for extracting and analyzing a bodily fluid	11316685	12/21/05
Fluid handling cassette with a fluid control interface	11316701	12/21/05
Apparatus and methods for analyzing body fluid samples	11352956	2/13/06
Spectroscopic analysis of a biological fluid reacted with an enzyme	11438902	5/23/06

<u>Description</u>	<u>Patent/App. No.</u>	<u>File/Issue Date</u>
Analyte detection system with user interface providing trend display	11504326	8/15/06
Analyte detection system with user interface providing event entry	11504327	8/15/06
Method of analyzing the composition of bodily fluids	11504444	8/15/06
Fluid handling cassette system for body fluid analyzer	11539534	10/6/06
Noise reduction for analyte detection systems	11734261	4/11/07
Method and apparatus for driving a radiation source	11756574	5/31/07
Method and apparatus for analyte measurements in the presence of interferents	11839447	8/15/07
Accurate and timely body fluid analysis	11839487	8/15/07
Infusion flow interruption method and apparatus	11850972	9/6/07
Low-volume fittings	12122009	5/16/08
Fluid mixing systems and methods	12123404	5/19/08
Low draw volume analyte detection systems	12247956	10/8/08
Synchronization and configuration of patient monitoring devices	12251339	10/14/08
Analyte monitoring system alarms	12251357	10/14/08
Systems and methods for verification of sample integrity	12546568	8/24/09
Adjustable connector and dead space reduction	12804336	7/20/10
Systems and methods for measuring multiple analytes in a sample	13156295	6/8/11
Systems and methods to reduce fluid contamination	13162315	6/16/11
Sample cell fluid analysis system	13542350	7/5/12
Fluid component analysis systems and methods for glucose monitoring and control	8449524	5/28/13
System and method for determining a treatment dose for a patient	8251907	8/28/12
Fluid handling cassette having a spectroscopic sample cell	8197770	6/12/12
In vitro determination of analyte levels within body fluids	8139207	3/20/12
Anti-clotting apparatus and method for fluid handling system	8034015	10/11/11
In vitro determination of analyte levels within body fluids	7999927	8/16/11
Fluid component analysis systems and method for glucose monitoring and control	7972296	7/5/11
In vitro determination of analyte levels within body fluids	7872734	1/18/11
Device and method for in vitro determination of analyte concentration within body fluids	7738085	6/15/10
Method and apparatus for analyte measurement using calibration sets	13552542	7/18/12
Fluid component analysis systems and method for glucose monitoring and control	13619825	9/14/12
Fluid injection and safety system	13619432	9/14/12
Systems and methods for determining physiological parameters using measured analyte values	13609098	9/10/12
Fluid handling cassette system for body fluid analyzer	12986112	1/6/11
Method and apparatus for determining an analyte concentration in a sample having interferents	12573821	10/5/09
Apparatus and methods for analyzing body fluid samples	12511014	7/28/09
Analyte detection system with periodic sample draw and body fluid analyzer	12343421	12/23/09

<u>Description</u>	<u>Patent/App. No.</u>	<u>File/Issue Date</u>
Dual measurement analyte detection system	12171205	7/10/08

EXHIBIT C

Trademarks

<u>Description</u>	<u>Serial No.</u>	<u>File Date</u>
OPTISCANNER	77738076	5/15/09
DETECTING CHANGES FASTER IN THE CRITICALLY ILL PATIENT	77464409	5/2/08
OPTISCAN	77124988	3/7/07