

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM572396

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
CPACKET NETWORKS INC.		04/16/2020	Corporation: DELAWARE
RECEIVING PARTY DATA			
Name:	WESTERN ALLIANCE BANK		
Street Address:	201 SPEAR STREET		
Internal Address:	STE. 1500		
City:	SAN FRANCISCO		
State/Country:	CALIFORNIA		
Postal Code:	94105		
Entity Type:	Corporation: ARIZONA		
PROPERTY NUMBERS Total: 10			
Property Type	Number	Word Mark	
Registration Number:	5746211	C CLEAR	
Registration Number:	4597982	CSTOR	
Registration Number:	4589461	SPIFEE	
Registration Number:	4367553	CVU	
Registration Number:	3396162	CPACKET	
Registration Number:	3396161	CPACKET	
Registration Number:	3478106	CPACKET NETWORKS	
Registration Number:	3482273	CPACKET NETWORKS	
Registration Number:	3403253	CPACKET NETWORKS	
Registration Number:	3396155	CPACKET NETWORKS	
CORRESPONDENCE DATA			
Fax Number:	4048853900		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	4048853868		
Email:	rusty.close@troutman.com		
Correspondent Name:	CHRISTOPHER CLOSE		
Address Line 1:	TROUTMAN SANDERS LLP		
Address Line 2:	600 PEACHTREE STREET NE, SUITE 3000		

CH \$265.00 5746211

Address Line 4: ATLANTA, GEORGIA 30308-2216

ATTORNEY DOCKET NUMBER: 039299.000042

NAME OF SUBMITTER: Christopher C Close, Jr.

SIGNATURE: /Christopher C. Close Jr./

DATE SIGNED: 04/17/2020

Total Attachments: 13

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INTELLECTUAL PROPERTY SECURITY AGREEMENT

This **INTELLECTUAL PROPERTY SECURITY AGREEMENT**, dated as of April 16, 2020 (the “**Agreement**”) between **WESTERN ALLIANCE BANK**, an Arizona corporation (“**Bank**”) and **C PACKET NETWORKS INC.**, a Delaware corporation (“**Grantor**”) is made with reference to that certain Loan and Security Agreement by and between Bank and Grantor, dated as of the date hereof (as the same may be amended, modified, supplemented or restated from time to time, the “**Loan Agreement**”). Terms defined in the Loan Agreement have the same meaning when used in this Agreement.

For good and valuable consideration, receipt of which is hereby acknowledged, Grantor hereby covenants and agrees as follows:

To secure the Obligations under the Loan Agreement, Grantor grants to Bank a security interest in all right, title, and interest of Grantor in any of the following, whether now existing or hereafter acquired or created in any and all of the following property (collectively, the “**Intellectual Property Collateral**”):

(a) copyright rights, copyright applications, copyright registrations and like protections in each work or authorship and derivative work thereof, whether published or unpublished and whether or not the same also constitutes a trade secret, now or hereafter existing, created, acquired or held (collectively, the “**Copyrights**”), including the Copyrights described in Exhibit A;

(b) trademark and servicemark rights, whether registered or not, applications to register and registrations of the same and like protections, and the entire goodwill of the business of Borrower connected with and symbolized by such trademarks (collectively, the “**Trademarks**”), including the Trademarks described in Exhibit B;

(c) patents, patent applications and like protections including without limitation improvements, divisions, continuations, renewals, reissues, extensions and continuations-in-part of the same (collectively, the “**Patents**”), including the Patents described in Exhibit C;

(d) mask work or similar rights available for the protection of semiconductor chips or other products (collectively, the “**Mask Works**”), including the Mask Works described in Exhibit D;

(e) trade secrets, and any and all intellectual property rights in computer software and computer software products;

(f) design rights;

(g) claims for damages by way of past, present and future infringement of any of the rights included above, with the right, but not the obligation, to sue for and collect such damages for said use or infringement of the intellectual property rights identified above;

(h) licenses or other rights to use any of the Copyrights, Patents, Trademarks, or Mask Works, and all license fees and royalties arising from such use to the extent permitted by such license or rights;

(i) amendments, renewals and extensions of any of the Copyrights, Trademarks, Patents, or Mask Works; and

(j) proceeds and products of the foregoing, including without limitation all payments under insurance or any indemnity or warranty payable in respect of any of the foregoing.

The rights and remedies of Bank with respect to the security interests granted hereunder are in addition to those set forth in the Loan Agreement, 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 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 such rights, powers or remedies does not preclude the simultaneous or later exercise by Bank of any other rights, powers or remedies.

[Signature Pages Follow]

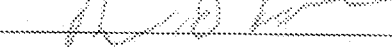
IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

GRANTOR:

BANK:

CPACKET NETWORKS INC.

WESTERN ALLIANCE BANK

By 

By _____

Name: Brendan O'Flaherty

Name: _____

Title: Chief Executive Officer

Title: _____

Address for Notices:

2130 Gold Street, Suite 200
San Jose, California 95002
Attn: Brendan O'Flaherty, CEO
Email: brendan@cpacket.com

Address for Notices:

Bridge Bank, a division of Western Alliance
Bank
201 Spear Street, Ste. 1500
San Francisco, California 94105
Attn: Elisa Sun, Vice President
E-mail: elisa.sun@bridgebank.com

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

GRANTOR:

CPACKET NETWORKS INC.

By _____

Name: Brendan O'Flaherty

Title: Chief Executive Officer

Address for Notices:

2130 Gold Street, Suite 200
San Jose, California 95002
Attn: Brendan O'Flaherty, CEO
Email: brendan@cpacket.com

BANK:

WESTERN ALLIANCE BANK

By  _____

Name: Riese L. Nunes

Title: Director, Loan Production

Address for Notices:

Bridge Bank, a division of Western Alliance
Bank
201 Spear Street, Ste. 1500
San Francisco, California 94105
Attn: Elisa Sun, Vice President
E-mail: elisa.sun@bridgebank.com

EXHIBIT A
COPYRIGHTS

Please Check if No Copyrights Exist

<u>Type of Work:</u>	<u>Title:</u>	<u>International Standard Serial Number (ISSN):</u>	<u>Registration Number:</u>	<u>Filing Date:</u>	<u>Preregistered?</u>
None Identified					

EXHIBIT B
TRADEMARKS

Please Check if No Trademarks Exist

<u>Mark/Title:</u>	<u>U.S. Serial Number:</u>	<u>U.S. Registration Number:</u>	<u>Filing Date:</u>
C CLEAR		5,746,211	(05/31/2017)
CSTOR		4,597,982	(01/03/2013)
SPIFEE		4,589,461	(01/03/2013)
CVU		4,367,553	(11/01/2012)
CPACKET		3,396,162	(01/19/2006)
CPACKET		3,396,161	(01/19/2006)
CPACKET NETWORKS (& design)		3,478,106	(01/17/2006)

<u>Mark/Title:</u>	<u>U.S. Serial Number:</u>	<u>U.S. Registration Number:</u>	<u>Filing Date:</u>
C PACKET NETWORKS (& design)		3,482,273	(01/17/2006)
C PACKET NETWORKS		3,403,253	(01/15/2006)
C PACKET NETWORKS		3,396,155	(01/15/2006)

EXHIBIT C

PATENTS

Please Check if No Patents Exist

<u>Title:</u>	<u>Patent/Application Number:</u>	<u>Filing Date:</u>
Apparatus and Method for Defining Baseline Network Behavior and Producing Analytics and Alerts Therefrom	15/636,569	(06/28/2017)
Apparatus and Method for Correlating Network Traffic on Opposite Sides of a Network Address Translator	15/636,551	(06/28/2017)
Apparatus, System, and Method for Monitoring Network Performance of Virtualized Resources	15/636,535	(06/28/2017)
Apparatus, System, and Method for Enhanced Monitoring and Interception of Network Data	14/580,145	(12/22/2014)
Apparatus, System, and Method for Enhanced Reporting and Measurement of Performance Data	9,407,518	(08/02/2016)
Apparatus, System, and Method for Reducing Data to Facilitate Identification and Presentation of Data Variations	14/097,176	(12/04/2013)
Apparatus, System, and Method for Enhanced Reporting and Processing of Network Data	14/097,178	(12/04/2013)

<u>Title:</u>	<u>Patent/Application Number:</u>	<u>Filing Date:</u>
Apparatus, System, and Method for Enhanced Monitoring and Searching of Devices Distributed Over a Network	10,069,704	(09/04/2018)
Apparatus, System, and Method for Enhanced Monitoring, Searching, and Visualization of Network Data	9,787,556	(10/10/2017)
Apparatus and Method for Selective Mirroring	7,882,554	(02/01/2011)
Apparatus and Method for Providing Security and Monitoring in a Networking Architecture	7,890,991	(02/15/2011)
Apparatus and Method for Facilitating Network Security	7,937,756	(05/03/2011)
Apparatus and Method for Facilitating Network Security with Granular Traffic Modifications	8,024,799	(09/20/2011)
Apparatus and Method for Associating Categorization Information with Network Traffic to Facilitate Application Level Processing	8,296,846	(10/23/2012)
Apparatus and Method for Biased and Weighted Sampling of Network Traffic to Facilitate Network Monitoring	8,346,918	(01/01/2013)

<u>Title:</u>	<u>Patent/Application Number:</u>	<u>Filing Date:</u>
Apparatus and Method for Enhancing Forwarding and Classification of Network Traffic with Prioritized Matching and Categorization	8,665,868	(03/04/2014)
Network Security Protocol Processor and Method Thereof	7,603,549	(10/13/2009)
Apparatus and Method for Evaluating Packet Transit Time and Packet Delay Variation	16/183,428	(11/07/2018)
Apparatus and Method for Evaluating Packet Transit Time and Packet Delay Variation	PCT US2019060063	(11/06/2019)
Apparatus, System, and Method for Monitoring Network Performance of Virtualized Resources	PCT US2018039826	(06/27/2018)
Apparatus and Method for Establishing Baseline Network Behavior and Producing Reports Therefrom	PCT US2018039838	(06/27/2018)
Apparatus and Method for Correlating Network Traffic Flows on Opposite Sides of a Network Address Translator	PCT US2018039834	(06/27/2018)
Apparatus, System, and Method for Enhanced Monitoring, Searching, and Visualization of Network Data	PCT US2014072137	(12/23/2014)

<u>Title:</u>	<u>Patent/Application Number:</u>	<u>Filing Date:</u>
Apparatus, System, and Method for Enhanced Monitoring and Interception of Network Data	PCT US2014072167	(12/23/2014)
Enhanced Network Monitoring, Data Reporting, and Data Processing	PCT US2013073679	(12/06/2013)
Apparatus and Method for Enhancing Forwarding, Classification, and Monitoring of Network Traffic	PCT US2010041593	(07/09/2010)
Apparatus and Method for Providing Security and Monitoring in a Networking Architecture	PCT US2007072536	(06/29/2007)
Apparatus and Method for Facilitating Network Security with Granular Traffic Modifications	PCT US2007072524	(06/29/2007)
Apparatus and Method for Selective Mirroring	PCT US2007072530	(06/29/2007)
Apparatus and Method for Facilitating Network Security	PCT US2006032257	(08/18/2008)
Apparatus, System, and Method for Enhanced Monitoring and Interception of Network Data	14877603.2	(12/23/2014)

<u>Title:</u>	<u>Patent/Application Number:</u>	<u>Filing Date:</u>
Apparatus, System, and Method for Enhanced Monitoring, Searching, and Visualization of Network Data	14877647.9	(12/23/2014)
Apparatus and Method for Enhancing Forwarding, Classification, and Monitoring of Network Traffic	10797948.6	(09/07/2010)
Apparatus and Method for Facilitating Network Security	2619772	(08/18/2006)
Apparatus, System, and Method for Enhanced Network Monitoring, Data Reporting, and Data Processing	13860780.9	(12/06/2013)

EXHIBIT D

MASK WORKS

Please Check if No Mask Works Exist

<u>Title:</u>	<u>Application/Registration Number</u> <u>Registration:</u>	<u>Filing Date:</u>
None Identified		