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07-23-1998

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REC



SHEET

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

Tab settings

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

BIOMETRIC IMAGING, INC.

Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)

Name: SILICON VALLEY BANK

Internal Address: Attn: Loan Documentation Group

Street Address: 3003 Tasman Drive

City: Santa Clara State: CA ZIP: 95054

Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment  Merger  Security Agreement  Change of Name

Other ADDENDUM TO INTELLECTUAL PROPERTY SECURITY AGREEMENT

Execution Date: 6/10/98

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

SEE ATTACHED ADDENDUM TO INTELLECTUAL PROPERTY SECURITY AGREEMENT AND EXHIBIT "B" DATE 6/10/98

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: SILICON VALLEY BANK

Internal Address: \_\_\_\_\_

Attn: Loan Documentation Group

NC 816

Street Address: \_\_\_\_\_

3003 Tasman Drive

Santa Clara CA ZIP: 95054

City: State: ZIP: ATTN: JOSEPHINE M. CARJNO (408) 654-7136

6. Total number of applications and patents involved: 12

7. Total fee (37 CFR 3.41).....\$ 480.00

Enclosed CHECK NO. 7665

Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

JOSEPHINE M. CARJNO

Name of Person Signing

Josephine M. Carjno

Signature

PATENT

07/15/98 558246 480.00 08

01 EC-501 Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:

**BIOMETRIC IMAGING**  
**STATUS REPORT**  
**July 15, 1998**

EXHIBIT B

**ISSUED U.S. PATENTS**

35671	SINGLE USE SEPARATION CARTRIDGE, etc.	5,338,427	8/18/94	R.J. Sharke R.S. Dethrow	08/023,068	2/28/03	DSA Cartridge	Maintenance Fee Paid: 2/10/98 Next Maintenance Fee Due: 2/16/2002.
35750	CARTRIDGE FOR LABORATORY SAMPLE PROCESSING OR SIMILAR ARTICLE	D386,938	2/8/96	R.J. Sharke P.H. Gooding	29/027,954	6/2/94	418 Cartridge Design	Expires: 2/6/2010.
35673	APPARATUS AND METHOD FOR VOLUMETRIC CAPILLARY CYTOMETRY	5,547,849	6/20/96	T.M. Beer L.J. Dietz R.S. Dethrow P.G. Heyler M. Hordges B.S. Mandan R.J. Sharke	08/236,342	5/2/94	VCC Engineering I	Maintenance Fee Due: 2/20/2000.
35674	METHOD AND APPARATUS FOR CELL COUNTING AND CELL CLASSIFICATION	5,556,764	9/17/96	N.L. Sizto L.J. Dietz	08/236,645	5/2/94	VCC Software I	Maintenance Fee Due: 3/17/2000.

PATENT

REEL: 9342 FRAME: 0117

CONFIDENTIAL  
 WORK PRODUCT AND  
 ATTORNEY-CLIENT PRIVILEGED

**BIOMETRIC IMAGING  
STATUS REPORT  
JUN 16, 1998**

EXHIBIT B

**ISSUED U.S. PATENTS**

PATENT NO.	TITLE	INVENTOR	ISSUE DATE	CLASSIFICATION	ISSUE DATE	MAINTENANCE FEE DUE
35011	METHOD FOR PREPARING A SAMPLE IN A SCAN CAPILLARY FOR IMMUNOFLOUORESCENT INTERROGATION	R.S. Dubrow B.S. Menten	12/17/96	08/328,241	10/24/94	Maintenance Fee Due: 6/17/2000.
36646	DISPOSABLE CARTRIDGE FOR AN ASSAY OF A BIOLOGICAL SAMPLE	R.J. Sharle	5/6/97	08/300,360	9/2/94	Maintenance Fee Due: 1/16/2000.
38740	CYCLIZED FLOURESCENT DNA INTERCALATING CYANINE	L.G. Lee	8/19/97	08/552,506	11/9/95	Maintenance Fee Due: 2/19/2001.
39041	A HOLDER FOR RECEIVING TWO CUVETTES	R.J. Sharle P.H. Gooding	8/19/97	29/053,137	4/4/96	Expires: 8/19/2011.
38444	A CARTRIDGE FOR APHERESIS ANALYSIS	P. Sharle P. H. Gooding	9/16/97	29/045,924	11/2/95	Expires: 9/16/2011.
38762	CALIBRATION METHOD AND APPARATUS FOR OPTICAL SCANNER	L.J. Dietz T.M. Baer	11/18/97	08/670,540	6/27/96	Maintenance Fee Due: 5/18/2001.
38040	A CUVETTE FOR LABORATORY SAMPLE	R.J. Sharle	2/24/98	29/052,602	4/4/96	Expires: 2/24/2012.
38741	FLOURESCENT DNA INTERCALATING CYANINE DYES INCLUDING A POSITIVELY CHARGED BENZOTHAZOLE SUBSTITUT	L.G. Lee	3/31/98	08/555,529	11/9/95	Maintenance Fee Due: 9/30/2001.

PATENT

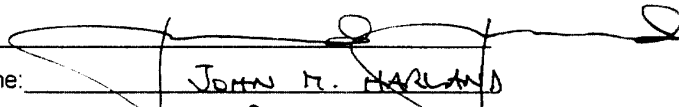
REEL: 9342 FRAME: 0118

**ADDENDUM TO INTELLECTUAL PROPERTY SECURITY AGREEMENT**

This Addendum to Intellectual Property Security Agreement is executed pursuant to, and is an addendum to, a Intellectual Property Security Agreement, dated May 28, 1997, filed with the United States Patent and Trademark office on June 9, 1997, as Reel/Frame number 1596/0456 and filed with the Copyright Office of the United States on June 9, 1997 as Volume number 3385, Page number 7 through 12. This Addendum to Intellectual Property Security Agreement is presented for recordation as constructive notice that Biometric Imaging, Inc. ("Assignor"), with its principal office at 1025 Terra Bella Avenue, Mountain View, CA 94043, the owner of the intellectual property identified in the exhibit attached hereto, has granted to SILICON VALLEY BANK ("Assignee"), with its principal office at 3003 Tasman Drive, Santa Clara, CA 95054, a security interest in the intellectual property described on **Exhibit A, B and C** hereto, and the exclusive rights comprised in the intellectual property, to secure payment of a debt.

IN WITNESS WHEREOF, Assignor has executed this Addendum to Intellectual Property Security Agreement as of June 10, 1998.

**BIOMETRIC IMAGING, INC.**

By:   
Name: John M. Harland  
Title: Vice President & CFO.

# ALL-PURPOSE ACKNOWLEDGMENT

<p>State of <u>California</u>                  County of <u>Santa Clara</u></p> <p>On <u>June 17, 1998</u> before me,  <u>Mary T. Toomey</u>, personally appeared  <u>John M. Holland</u>, <input checked="" type="checkbox"/> personally known                  to me <del>OR</del> <input checked="" type="checkbox"/> proved to me on the basis of satisfactory                  evidence to be the person(s) whose name(s) <del>is</del> were subscribed                  to the within instrument and acknowledged to me that  <del>he/she</del> they executed the same in <del>his/her</del> their authorized                  capacity(ies), and that by his/her/their signature(s) on the                  instrument the person(s), or the entity upon behalf of which the                  person(s) acted, executed the instrument.</p> <p>Witness my hand and official seal.</p> <p style="text-align: center;"><i>Mary T. Toomey</i>                  _____                  SIGNATURE OF NOTARY</p>	<p><b>CAPACITY CLAIMED BY SIGNER</b></p> <p><input type="checkbox"/> INDIVIDUAL(S)  <input checked="" type="checkbox"/> CORPORATE <u>VP, CFO</u>                  OFFICER(S) _____                  TITLE(S) _____  <input type="checkbox"/> PARTNER(S)  <input type="checkbox"/> ATTORNEY-IN-FACT  <input type="checkbox"/> TRUSTEE(S)  <input type="checkbox"/> SUBSCRIBING WITNESS  <input type="checkbox"/> GUARDIAN/CONSERVATOR  <input type="checkbox"/> OTHER: _____</p> <p><b>SIGNER IS REPRESENTING:</b>                  NAME OF PERSON(S) OR ENTITY(IES)  <u>Biometric Imaging, Inc.</u>                  _____                  _____</p>
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