

11-23-1999



101205573

FORM PTO-1595  
1-31-92

COVER SHEET  
ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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

<p>1. Name of conveying party(ies): GENUS, INC. <span style="float: right;">11-10-99</span></p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of Conveyance:  <input type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input checked="" type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other</p> <p>Execution Date: October 14, 1999</p>	<p>2. Name and address of receiving party(ies): Name: VENTURE BANKING GROUP A division of Cupertino National Bank Address: Three Palo Alto Square, Suite 150 City: PALO ALTO State: CA Zip: 94303</p> <p>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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4. Application number(s) or patent number(s): 4565157

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

<p>A. Patent Application No. (s)</p>	<p>B. Patent No. (s)</p> <p style="text-align: center;">See attached sheets</p>
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Additional numbers attached?  Yes  No

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Erin O'Brien Internal Address: <b>GRAY CARY WARE &amp; FREIDENRICH</b> 401 B Street, Suite 1700 San Diego, CA 92101-4297</p>	<p>6. Total number of applications and patents involved: <b>30</b></p> <hr/> <p>7. Total fee (37 CFR 3.41) . . . . . \$ <b>1,200.00</b> <input type="checkbox"/> Enclosed</p> <hr/> <p>8. Deposit account number: <u>07-1895</u> Please debit any underpayment or credit any overpayment to the above deposit account.</p> <p>Our Order No. 1030940-909500</p>
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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.

<u>Erin O'Brien</u>		November 10, 1999
Name of Person Signing	Signature	Date

Total number of pages comprising cover sheet: [ 9 ]

OMB No. 0651-0011 (exp. 4/94) Do not detach this portion  
Mail documents to be recorded with required cover sheet information to:

11/22/1999 DNGUYEN 00000291 071895 4565157  
01 FC:581 1200.00 CH  
SD:13202871  
1030940-909500

U.S. Patent and Trademark Office  
Office of Public Records  
Crystal Gateway 4, Room 335  
Washington, DC 20231

PATENT  
REEL: 010377 FRAME: 0862

Patents

<u>Description</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>
Method & Apparatus for Depos of Wsix	4,565,157	01/21/86
Method & Apparatus for Depos of Wsix	4,920,908	05/01/90
Proc Dep Low Res WSiH Composite	4,629,635	12/16/86
Proc Dep Low Res WSiH Composite Interlayer Dielectric layer Process	4,851,295	07/25/89
Low temp-Low Stress Blanket W Film	5,272,112	12/21/93
Purge Gas in Wafer Coating Area	5,447,570	09/05/95
Differential Pr CVD Chuck	5,094,835	03/10/92
Differential Pr CVD Chuck	5,383,971	01/24/95
Interchangeable CVD Chuck Surface	5,431,737	07/11/95
Perimeter Wafer Seal	4,932,358	06/12/90
SC Substrate Heater and Reactor Process	4,481,335	
SC Substrate Heater and Reactor Process	4,965,046	
Cooled Optical Window (RTP Application)	4,680,447	07/14/87
Cooled Optical Window (RTP Application)	4,550,684	11/05/85
Cooled Optical Window (RTP Application) Gas Injection	4,680,446	
Film Uniformity by Selective Pres Control Cleans/Etch	5,387,289	02/07/95
Sacrificial Metal Etchback	5,330,607	07/19/94
Method of Selective Etching Native Oxide ILD Process	5,294,568	03/15/94
Interlayer Dielectric layer Process	4,690,746	09/01/87
Vertically-Stacked Process Reactor and Cluster Tool System For Atomic Layer Deposition	5,879,459	03/09/99
Selective Plasma Deposition	5,858,471	01/12/99
Multipurpose Processing Chamber For Chemical Vapor Deposition Processes	5,855,675	01/05/99

<u>Description</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>
Organic Pre-clean For Improving Vapor Phase Wafer Etch Uniformity	5,762,755	06/09/98
Composite Sputtering Target Structures And Process For Producing Such Structures	5,215,639	06/01/93
Dial Deposition and Processing Apparatus	4,795,299	01/03/89
Non-Magnetic Sputtering Target [Fringing Magnetic Field]	4,597,847	07/01/86
Supplemental Electric Water Heater Unit For Compensating Cooling Of A Hot Water Supply Line	4,680,446	07/14/87
Semiconductor Substrate Heater And Reactor Process And Apparatus [Using A Heat Exchanging Metal(s) Melt]	4,778,559	10/18/88
Semiconductor Substrate Heater And Reactor Process And Apparatus [Uniform Heat Transfer]	4,891,335	01/02/90
Semiconductor Substrate Treating Method [Melting Metals, Conducting Heat And Reacting Materials To The Semiconductors]	4,956,046	09/11/90

# INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement is entered into as of October 14, 1999 by and between VENTURE BANKING GROUP, a division of Cupertino National Bank ("Bank") and GENUS, INC., a California corporation ("Grantor").

## RECITALS

A. Bank has agreed to make certain advances of money and to extend certain financial accommodation 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).

B. 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.

C. 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, Grantor hereby represents, warrants, covenants and agrees as follows:

## AGREEMENT

To secure its obligations under the Loan Agreement and under all other agreements 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 Schedules 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.

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

IN WITNESS WHEREOF, the parties have cause this Intellectual Property Security Agreement to be duly executed by its officers thereunto duly authorized as of the first date written above.

GRANTOR:

Address of Grantor:

1139 Karlstad Drive  
Sunnyvale, CA 94089

Attn: Kenneth Schwanda

GENUS, INC.

By: 

Title: VP Finance, CFO

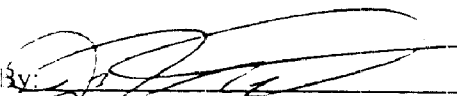
BANK:

Address of Bank:

Three Palo Alto Square, Suite 150  
Palo Alto, CA 94306

Attn: Jon Krogstad

VENTURE BANKING GROUP, a division of  
Cupertino National Bank

By: 

Title: SVP

EXHIBIT A

Copyrights

Description

Registration/  
Application  
Number

Registration/  
Application  
Date

EXHIBIT B

## Patents

<u>Description</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>
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EXHIBIT C

Trademarks

<u>Description</u>	<u>Registration/ Application Number</u>	<u>Registration/ Application Date</u>
LYNX2	75/334,969	08/04/97
GENUS	1,372,204	11/26/85

# Gray Cary Ware ▲ Freidenrich LLP

401 B Street Suite 1700 San Diego, CA 92101-4297  
Phone 619-699-2700 Fax 619-236-1048 www.graycary.com

Writer's Direct Dial: 619-699-3663  
Internet: eobrien@graycary.com

Our File No:  
1030940-909500

November 10, 1999

## VIA EXPRESS MAIL

U.S. Patent and Trademark Office  
Office of Public Records  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231

Re: Grantor: Genus, Inc.  
Secured Party: Venture Banking Group

Dear Sir or Ms:

Enclosed please find the following documents:

1. Recordation Form Cover Sheet for Patents only;
2. Intellectual Property Security Agreement between Genus, Inc. and Venture Banking Group, a division of Cupertino National Bank; and
3. A self-addressed postage paid postcard for your use to indicate receipt of the enclosed documents.

Please record these documents and debit this firm's Deposit Account No. 07-1895 for the required recordation fees. Once the security interest has been recorded, please return the original Notice of Recordation to me at the above-listed address.

Sincerely,

GRAY CARY WARE & FREIDENRICH LLP



Erin O'Brien, Paralegal

Enclosures

cc: Ms. Nannette L. Walton (w/enclosures)

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail on: November 10, 1999 addressed to: Commissioner of Patents and Trademarks, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231.

By: *DiDi Stevens*  
DiDi Stevens

SD\1320288.1  
1030940-909500

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<p>1. Name of conveying party(ies): GENUS, INC.</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>2. Nature of Conveyance:  <input type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input checked="" type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other</p> <p>Execution Date: October 14, 1999</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: VENTURE BANKING GROUP  A division of Cupertino National Bank  Address: Three Palo Alto Square, Suite 150  City: PALO ALTO State: CA Zip: 94303</p> <p>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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<p>Erin O'Brien Name of Person Signing</p>	<p><i>Erin O'Brien</i> Signature</p>	<p>November 10, 1999 Date</p>
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Total number of pages comprising cover sheet: [ 9 ]

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