

01-10-2000

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FORM PTO-1595

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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.

1. Name of conveying party(ies):

Diagnetics, Inc.
1700 Edison Drive
Milford, Ohio 45150

Name and address of receiving party(ies):

Name: FINOVA Mezzanine Capital Inc.

12-21-1999

U.S. Patent & TMO/TM Mail Rpt Dt. #26

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

Internal Address:

3. Nature of conveyance:

☐ Assignment☐ Merge☒ Security Agreement☐ Change of Name☐ Other

Street Address 500 Church Street, Suite 200

City: Nashville State: Tennessee ZIP: 37219

Execution Date: November 12, 1999

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

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)

5,095,740

5,708,198

Additional numbers attached ☐ Yes ☒ No

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

Name: Lori L. Smith

Internal Address: Chambliss, Bahner & Stophel, P.C.

Street Address: 1000 Tallan Building

Two Union Square

City: Chattanooga State: Tennessee ZIP: 37402

6. Total number of applications and patents involved:

2

7. Total fee (37 CFR 3.41) \$ 80.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number

20-0052

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

01/07/2000 DCURTES 00000064 200052 5095740

DO NOT USE THIS SPACE

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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.

Lori L. Smith

Name of Person Signing

Signature

December 15, 1999

Date

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

6

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

FIRST AMENDMENT TO TRADEMARK AND PATENT SECURITY AGREEMENT

THIS FIRST AMENDMENT TO TRADEMARK AND PATENT SECURITY AGREEMENT ("Amendment") dated as of the 12th day of November, 1999 is made and entered into on the terms and conditions hereinafter set forth, by and between ENTEK IRD INTERNATIONAL CORPORATION, an Ohio corporation (formerly Entek Scientific Corporation) ("Borrower"), IRD MECHANALYSIS, INC., an Ohio corporation ("IRD"), DIAGNETICS, INC., an Oklahoma corporation ("Diagnostics"), and FINOVA MEZZANINE CAPITAL INC., a Tennessee corporation (formerly Sirrom Capital Corporation) ("Lender").

WITNESSETH:

WHEREAS, Lender made term loans to Entek Scientific Corporation in the original aggregate principal amount of Three Million Seven Hundred Fifty Thousand and No/100ths Dollars (\$3,750,000) (collectively, the "Loan") on the terms and conditions set forth in that certain Loan Agreement dated as of June 28, 1996, by and between Lender and Entek Scientific Corporation, as amended by that certain First Amendment to Loan Agreement and Loan Documents dated April 30, 1997, that certain Second Amendment to Loan Agreement and Loan Documents dated May 22, 1997 and that certain Third Amendment to Loan Agreement and Loan Documents of even date herewith, (as now or hereafter amended, the "Loan Agreement"); capitalized terms used herein but not otherwise defined shall have the meanings ascribed thereto in the Loan Agreement;

WHEREAS, the Loan is further evidenced and secured by certain agreements, documents and instruments as more particularly described in the Loan Agreement and defined therein as the "Loan Documents" including that certain Trademark and Patent Security Agreement by and between Borrower and Lender dated June 28, 1996 (the "Borrower Security Agreement"), that certain Trademark and Patent Security Agreement by and between IRD and Lender dated June 28, 1996 (the "IRD Security Agreement") and that certain Trademark and Patent Security Agreement by and between Diagnostics and Lender dated May 22, 1997 (the "Diagnostics Security Agreement") (the Borrower Security Agreement, the IRD Security Agreement and the Diagnostics Security Agreement are hereinafter referred to collectively as the "Security Agreements");

WHEREAS, Borrower, IRD and Diagnostics have subsequently acquired additional intellectual property;

WHEREAS, this Amendment shall amend the Security Agreements.

AGREEMENT:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Borrower, IRD and Diagnostics and Lender hereby agree as follows:

1. Schedule A to each Security Agreement is amended to add the following additional intellectual property:

Entek IRD International Corporation
Pending U.S. Patent Applications

Title	Ser. No.	Filing Date
Evaluating Properties of Oil Using Dielectric Spectroscopy	09/075,622	05/11/98
Order Tracking Signal Sampling Process	09/033,682	03/03/98
Portable, Self-Contained Data Collection System & Methods	09/152,429	09/14/98

Entek IRD International Corporation
In-Force U.S. Patents

Title	Patent No.	Issue Date
Voltage Tuned Active Filter and Circuitry Simulating a Capacitance and an Inductance	4,383,230	05/10/83
Portable Self-Contained Data Collection Systems and Methods	5,808,903	09/15/98

Entek IRD International Corporation
In-Force U.S. Trademark Registrations

Mark	Reg. No.	Reg. Date
Baseline	2,201,826	11/03/98
Reliability Through Technology	2,204,297	11/17/98
Turbomonitor	2,241,781	04/27/99
Enteract	2,259,171	07/06/99
Motormonitor	2,274,097	08/31/99

Entek IRD International Corporation
Pending U.S. Trademark Applications

Mark	Ser. No.	Filing Date
Machine Wizard	75/306,739	06/11/97
The Machinery Information Company	75/506,197	06/24/98
Emonitor Odyssey	75/528,386	07/30/98
Turbotrend	75/644,578	02/22/99
Plantlink	75/608,083	12/18/98
Enshare	75/730,863	06/16/99
Enlab	75/729,566	06/16/99
Entach	75/733,938	06/22/99
Enpac	75/729,568	06/16/99

IRD Mechanalysis, Inc.
In-Force U.S. Trademark Registrations

Mark	Reg. No.	Reg. Date
CML	2,015,170	11/12/96

Diagnetics, Inc.
In-Force U.S. Patents

Title	Patent No.	Issue Date
System for Monitoring and Analyzing Solid Contaminants in Fluids	5,095,740	03/17/92
Ferrous Particle Counter	5,708,198	01/13/98

2. The terms "Loan Document" and "Loan Documents" as defined in the Loan Agreement are amended to include this Amendment and any and all other documents relating to the Loan (i) by and between Borrower or any other person or entity and Lender or (ii) executed by Borrower or any other person or entity in favor of Lender.

3. Except as modified and amended hereby, the Security Agreements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment, or have caused this Amendment to be executed by their duly authorized officers, as of the day and year first above written.

BORROWER:

ENTEK IRD INTERNATIONAL
CORPORATION, an Ohio corporation
(formerly Entek Scientific Corporation)

By: James Cunningham
Title: Vice Pres

IRD:

IRD MECHANALYSIS, INC., an Ohio
corporation

By: James J Cunningham
Title: Vice Pres

DIAGNETICS:

DIAGNETICS, INC., an Oklahoma corporation

By: James J Cunningham
Title: Vice Pres

LENDER:

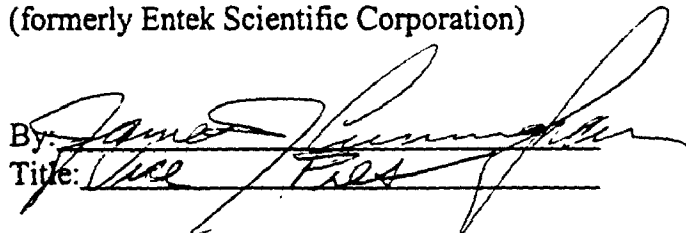
FINOVA MEZZANINE CAPITAL INC., a
Tennessee corporation (f/k/a Sirrom Capital
Corporation)

By: _____
Title: _____

IN WITNESS WHEREOF, the parties hereto have executed this Amendment, or have caused this Amendment to be executed by their duly authorized officers, as of the day and year first above written.

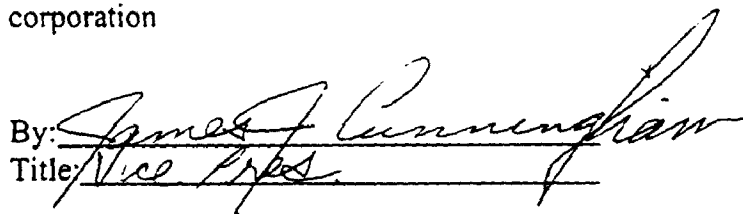
BORROWER:

ENTEK IRD INTERNATIONAL
CORPORATION, an Ohio corporation
(formerly Entek Scientific Corporation)

By: 
Title: Vice Pres

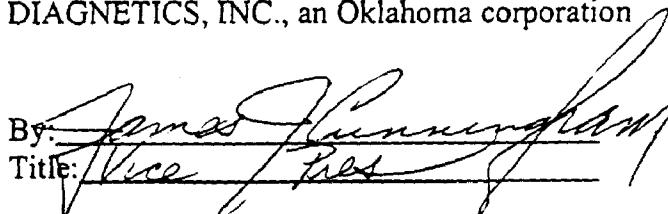
IRD:

IRD MECHANALYSIS, INC., an Ohio
corporation

By: 
Title: Vice Pres


DIAGNETICS:

DIAGNETICS, INC., an Oklahoma corporation

By: 
Title: Vice Pres

LENDER:

FINOVA MEZZANINE CAPITAL INC., a
Tennessee corporation (f/k/a Sirrom Capital
Corporation)

By: 
Title: VP