

05-17-2002

Form PTO-1595
(Rev. 03/01)

REC



102094546

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

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

1. Name of conveying party(ies):

SAIC Venture Capital Corporation

5-7-02

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☒ Other To Terminate Security Interest

Execution Date: 5/7/2002

2. Name and address of receiving party(ies)

Name: Conita Technologies, Inc.

Internal Address: _____

Street Address: 1200 Main Street, Suite 900

City: Columbia State: SC Zip: 29201

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) 09/519,075;
09/519,486; 09/519,234; 09/519,217

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

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

Name: Thomas A. Brumgardt

Internal Address: _____

Nelson, Mullins, Riley, & Scarborough, L.L.P.

Street Address: Keenan Building, Third Floor

1330 Lady Street

City: Columbia State: SC Zip: 29211

6. Total number of applications and patents involved: 4

7. Total fee (37 CFR 3.41).....\$ 160

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

50-1196

DO NOT USE THIS SPACE

9. Signature.

Thomas A. Brumgardt
Name of Person Signing

Signature

May 6, 2002
Date

Total number of pages including cover sheet, attachments, and documents: 13

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231OFFICE OF THE
702 MAY -7 11 7:57
FINANCE SECTIONPATENT
REEL: 012890 FRAME: 0908

ATTACHMENT

1. Additional names of conveying parties:

Coastal Growth Partners, L.P.

Peterson Ventures III, LLC

Franklin Covey Co.

Doug Holmes

Larry Wilson

~ Doc# 5218886.01 ~

RELEASE AGREEMENT

THIS RELEASE AGREEMENT ("Agreement") is made as of this 30th day of April 2002 by and among Conita Technologies, Inc. ("Conita") and Coastal Growth Partners, L.P. ("Coastal"), SAIC Venture Capital Corporation ("SAIC-VCC"), Franklin Covey Co. ("FCC"), Doug Holmes ("DH"), Peterson Ventures III, LLC ("PV") and G. Larry Wilson ("GLW") (collectively, the "Lenders").

WHEREAS, the Lenders made certain loans in accordance with (i) a Loan Agreement dated as of February 16, 2001, by and among Conita, Coastal, SAIC-VCC, FCC, DH and PV, (ii) an Assignment and Assumption Agreement, dated as of June 29, 2001, by and among PV, GLW and Conita, and (iii) an Agreement, dated June 29, 2001, by and among Conita, PV and DH, that are secured by a Security Agreement dated as of February 16, 2001, as amended in July 2001 (the "Security Agreement");

WHEREAS, in connection with the Security Agreement, the parties filed Notices of Recordation of Assignment with the United States Department of Commerce, Patent and Trademark Office on March 26, 2001 and July 30, 2001, and a Financing Statement on Form UCC-1 and an amendment thereto on Form UCC-3 with the Office of Secretary of State for the State of South Carolina on March 12, 2001 and July 30, 2001, respectively; and

WHEREAS, the Lenders now desire to release their liens and security interests in and to the assets of Conita and terminate such filings;

NOW, THEREFORE, in consideration of the foregoing and the agreement set forth herein, the receipt, sufficiency and adequacy of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

1. Release. Lenders hereby forever release and terminate any and all security interests or other lien rights (whether statutory, expressly created, arising in tort or otherwise) in and to any and all assets of Conita, including (but not limited to) (i) the Collateral, as this term is defined in the Security Agreement; (ii) assets described in any and all previous filings made with the United States Department of Commerce, Patent and Trademark Office, including (but not limited to) the Notices of Recordation of Assignments listed in Exhibit I hereto; and, (iii) assets described in any and all previous filings made with the Office of Secretary of State for the State of South Carolina.
2. Lenders Acknowledgement. Lenders hereby acknowledge and agree that Conita may make any and all necessary filings with the appropriate governmental agencies in order to terminate any and all filings previously made in connection with the security interests or other lien rights referenced above. Lenders hereby further acknowledge that, other than as explicitly set forth in the Security Agreement, they have no security interest or lien right in or to any asset of Conita as of the date of this Release Agreement.

3. Further Assurances. The parties hereto shall cooperate with each other and execute and deliver, or cause to be executed and delivered, all such additional instruments and take all such other actions as may reasonably be requested from time to time in order to effectuate the provisions and purposes of this Agreement.

PATENT
REEL: 012890 FRAME: 0912

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the parties hereto as of the date first above written.

CONITA TECHNOLOGIES, INC.

FRANKLIN COVEY CO.

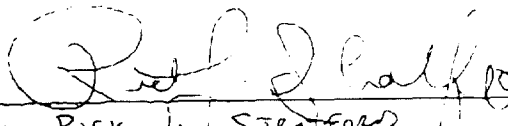
By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

COASTAL GROWTH PARTNERS, L.P.

PETERSON VENTURES III, LLC

By: _____
Name: _____
Title: _____

By: 
Name: RICK W STRATFORD
Title: MANAGER

Doug Holmes

SAIC VENTURE CAPITAL
CORPORATION

By: _____
Name: _____
Title: _____

G. Larry Wilson

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the parties hereto as of the date first above written.

CONITA TECHNOLOGIES, INC.

FRANKLIN COVEY CO.

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

COASTAL GROWTH PARTNERS, L.P.

PETERSON VENTURES III, L.L.C.

By: Adrian N. Wilson
Name: Adrian N. Wilson
Title: Fund Manager

By: _____
Name: _____
Title: _____

Doug Holmes

SAIC VENTURE CAPITAL
CORPORATION

By: _____
Name: _____
Title: _____

G. Larry Wilson

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the parties hereto as of the date first above written.

CONITA TECHNOLOGIES, INC.

FRANKLIN COVEY CO.


By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

COASTAL GROWTH PARTNERS, L.P.

PETERSON VENTURES III, LLC

By: _____
Name: _____
Title: _____

By: 
Name: RICK W STRATFORD
Title: MANAGER


Doug Holmes

SAIC VENTURE CAPITAL
CORPORATION

By: _____
Name: _____
Title: _____

G. Larry Wilson

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the parties hereto as of the date first above written.

CONITA TECHNOLOGIES, INC.

FRANKLIN COVEY CO.

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

COASTAL GROWTH PARTNERS, L.P.

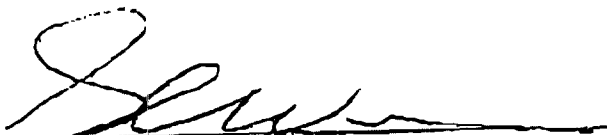
PETERSON VENTURES III, LLC

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Doug Holmes

SAIC VENTURE CAPITAL
CORPORATION


G. Larry Wilson

By: _____
Name: _____
Title: _____

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the parties hereto as of the date first above written.

CONITA TECHNOLOGIES, INC.

FRANKLIN COVEY CO.

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

COASTAL GROWTH PARTNERS, L.P.

PETERSON VENTURES III, LLC

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Doug Holmes

SAIC VENTURE CAPITAL
CORPORATION

By: Kevin A. Werner
Name: Kevin A. Werner
Title: President & Managing Director

G. Larry Wilson

~ Doc# 5215752.02 ~

EXHIBIT I to RELEASE AGREEMENT**NOTICES OF RECORDATION OF ASSIGNMENTS**

Notice of Recordation of Assignment Document Reel/Frame No. 011651/0456 filed with the United States Department of Commerce Patent and Trademark Office on March 26, 2001, by SAIC Venture Capital Corporation, Coastal Growth Partners, L.P., Peterson Ventures III, LLC, Doug Holmes and Franklin Covey Co.

Notice of Recordation of Assignment Document Reel/Frame No. 002266/0760 filed with the United States Department of Commerce Patent and Trademark Office on March 26, 2001, by SAIC Venture Capital Corporation, Coastal Growth Partners, L.P., Peterson Ventures III, LLC, Doug Holmes and Franklin Covey Co.

Notice of Recordation of Assignment Document Reel/Frame No. 012022/0273 filed with the United States Department of Commerce Patent and Trademark Office on July 30, 2001, by Larry Wilson.

Notice of Recordation of Assignment Document Reel/Frame No. 002339/0579 filed with the United States Department of Commerce Patent and Trademark Office on July 30, 2001, by Larry Wilson.

UCC-3

STATE OF SOUTH CAROLINA FILING FEES:

\$ 8.00 - Each filing

\$10.00 - More than two (2) pages

\$20.00 - Public Finance Transaction

\$20.00 - Manufactured Home Transaction

UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

For each additional Debtor more than two (2), add \$2.00
for each additional debtor.

A. NAME & PHONE OF CONTACT AT FILER [optional]
B. SEND ACKNOWLEDGMENT TO: (Name and Address)
<i>Conita Technologies, Inc.</i> <i>1200 Main Street, Suite 900</i> <i>Columbia, SC 29201</i>

8

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #	010312-150548A	1b. This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS.
2. <input checked="" type="checkbox"/> TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.		
3. <input type="checkbox"/> CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.		
4. <input type="checkbox"/> ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.		
5. AMENDMENT (PARTY INFORMATION): This Amendment affects <input type="checkbox"/> Debtor or <input type="checkbox"/> Secured Party of record. Check only <u>one</u> of these two boxes. Also check <u>one</u> of the following three boxes and provide appropriate information in items 6 and/or 7. <input type="checkbox"/> CHANGE name and/or address: Give current record name in item 6a or 6b; also give new name (if name change) in item 7a or 7b and/or new address (if address change) in item 7c. <input type="checkbox"/> DELETE name: Give record name to be deleted in item 6a or 6b. <input type="checkbox"/> ADD name: Complete item 7a or 7b, and also item 7c; also complete items 7d-7g (if applicable).		
6. CURRENT RECORD INFORMATION:		
6a. ORGANIZATION'S NAME <i>Conita Technologies, Inc.</i>		
OR	6b. INDIVIDUAL'S LAST NAME	FIRST NAME MIDDLE NAME SUFFIX
7. CHANGED (NEV) OR ADDED INFORMATION:		
7a. ORGANIZATION'S NAME		
OR	7b. INDIVIDUAL'S LAST NAME	FIRST NAME MIDDLE NAME SUFFIX
7c. MAILING ADDRESS		
CITY STATE POSTAL CODE COUNTRY		
7d. TAX ID# (Organizations)	UCC-3 ORGANIZATION DEBTOR	7e. TYPE OF ORGANIZATION
7f. JURISDICTION OF ORGANIZATION		7g. ORGANIZATIONAL ID#, if any
		<input type="checkbox"/> NONE
8. AMENDMENT (COLLATERAL CHANGE): check only <u>one</u> box. Describe collateral: <input type="checkbox"/> deleted or <input type="checkbox"/> added, or give entire <input type="checkbox"/> restated collateral description, or describe collateral <input type="checkbox"/> assigned.		

TERMINATED

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here <input type="checkbox"/> and enter name of DEBTOR authorizing this Amendment.			
9a. ORGANIZATION'S NAME <i>See Attached</i>			
OR	9b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME SUFFIX
10. OPTIONAL FILER REFERENCE DATA			

FILING OFFICE: COPY — SC SECRETARY OF STATE'S OFFICE (FORM UCC3) (7/1/2001)

PATENT
REEL: 012890 FRAME: 0919

EXHIBIT A

9. The names of the Secured Parties of Record authorizing this termination are as follows:

SAIC Venture Capital Corporation

Coastal Growth Partners, L.P.

Peterson Ventures III, LLC

Franklin Covey Co.

Doug Holmes

G. Larry Wilson

~ Doc# 5218892.01 ~