

12/4/02



12-10-2002

D 4



102306459

Form PTO-1595 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

U.S. DEPARTMENT OF COMMERCE U.S. 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): CANDLE SONG, INC. 13525 DENTON DRIVE DALLAS, TEXAS 75234

2. Name and address of receiving party(ies) Name: LEGACY BANK OF TEXAS Internal Address:

3. Nature of conveyance: [ ] Assignment [ ] Merger [x] Security Agreement [ ] Change of Name [ ] Other Execution Date: 09/17/2002

Street Address: 5000 LEGACY DRIVE City: PLANO State: TX Zip: 75024 Additional name(s) & address(es) attached? [ ] Yes [x] 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) 5,921,267

Additional numbers attached? [ ] Yes [x] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: DAVID C. DRUFFNER Internal Address: Street Address: 15851 DALLAS PARKWAY SUITE 1001 City: ADDISON State: TX Zip: 75001

6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41).....\$ 40.00 [x] Enclosed [ ] Authorized to be charged to deposit account 8. Deposit account number:

12/09/2002 DBYRNE 00000044 3921267 01 FC:8023

9. Signature. 40.00 DP DO NOT USE THIS SPACE Dianna Lanier Signature DECEMBER 3, 2002 Date

Total number of pages including cover sheet, attachments, and documents: 3

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

**COLLATERAL ASSIGNMENT OF PATENT**

**THIS COLLATERAL ASSIGNMENT OF PATENT** (this "Assignment") is executed and entered into as of September 3, 2002, by and between CANDLE SONG, INC., a Texas corporation ("Assignor") and LEGACY BANK OF TEXAS ("Lender").

**WHEREAS**, Assignor is the owner of the following Patent (herein so called):

Patent: **MUSIC PRODUCING CANDLE**  
Patent No.: 5,921,767  
Date of Patent: July 13, 1999

**WHEREAS**, Naterra International, Inc., a Texas corporation ("Borrower") has executed and delivered that certain Promissory Note dated as of October 5, 1998 (the "Note") payable to Lender in the original maximum principal amount of \$2,500,000.00, evidencing a Loan (herein so called) of like amount from Lender to Borrower in accordance with that certain Business Loan Agreement (the "Loan Agreement") dated of even date with the Note and executed by, among others, Borrower and Lender, and which Loan is secured by, among other things, the liens and security interests created and evidenced by that certain Commercial Security Agreement (the "Security Agreement") dated of even date with the Note and executed by Assignor for the benefit of Lender.

**NOW, THEREFORE**, in accordance with the Security Agreement and as security for the Note, all indebtedness to be incurred by Borrower to Lender with respect to the Note, and all other obligations of Borrower under the Loan Agreement and the Security Agreement, Assignor does hereby assign, transfer and convey to Lender all of Assignor's rights, title or interest in the Patent and the invention represented thereby.

**ASSIGNOR:**

CANDLE SONG, INC., a Texas corporation

By: [Signature]  
Jin K. Song, President

**LENDER:**

LEGACY BANK OF TEXAS

By: [Signature] SVP  
Its: SVP

WA4104\1427\Pat\_in\ASGN\PAT.CS

NOTARY PUBLIC EXPIRES 01-10-2000

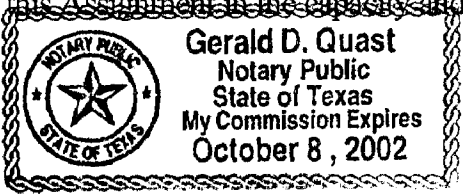
[Signature]  
Notary Public, State of Texas

[NOTARY STAMP]

\*\*\*\*\*

THE STATE OF TEXAS §  
§  
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 17th day of September, 2002, by Jin K. Song, President of Candle Song, Inc., a Texas corporation, known to me to be the person who executed this Assignment in the capacity and for the purposes therein stated.



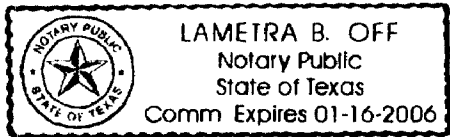
Gerald D. Quast  
Notary Public, State of Texas

[NOTARY STAMP]

\*\*\*\*\*

THE STATE OF TEXAS §  
§  
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 23rd day of September, 2002, by Mark S. Ramsey, SENIOR Vice President of Legacy Bank of Texas, known to me to be the person who executed this Assignment in the capacity and for the purposes therein stated.



Lametra B. Off  
Notary Public, State of Texas

[NOTARY STAMP]