



09-05-2003

B/O FORM PTO-1595 (1/31/92) U.S. Department of Commerce Patent & Trademark Office

RECORDATION FORM COVER SHEET



8-29-03 PATENTS ONLY

102541975

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

|   |  |  |  |
|---|--|--|--|
| <p>1. Name of Conveying Party:</p> <p>1) ECO BUILDING SYSTEMS, INC.</p> <p><input type="checkbox"/> Additional names of conveying parties attached.</p>   |  | <p>2. Name and Address of Receiving Party(ies):</p> <p>Name: Imperial Bank</p> <p>Street Address: 701 B Street, Suite 600</p> <p>City, State, Zip: San Diego, CA 92101-8120</p> <p><input type="checkbox"/> Additional name(s) and address(es) attached.</p> |  |
| <p>3. Nature of Conveyance</p> <p><input type="checkbox"/> Assignment                      <input type="checkbox"/> Merger</p> <p><input checked="" type="checkbox"/> Security Agreement              <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other:</p> <p>Execution Date: 1) November 6, 1997</p> |  |  |  |
| <p>4. (A) Patent Application Number(s):</p> <p>09/993,374; 09/592,001</p> <p>If this document is being filed together with a new application, the execution date of the application is:</p> <p><input type="checkbox"/> Additional Numbers Attached.</p>  |  | <p>4. (B) Patent Number(s):</p> <p>5,524,412; 6,073,410</p>  |  |
| <p>5. Name and Address of Party to whom Correspondence Concerning this Document Should be Mailed:</p> <p>Name: Gary M. Nath</p> <p>Address: NATH &amp; ASSOCIATES<br/>1030 15<sup>th</sup> Street, N.W. - 6<sup>th</sup> Floor<br/>Washington, D.C. 20005</p>   |  | <p>6. Total Number of Applications and Patents Involved:</p> <p>1</p>  |  |
|   |  | <p>7. Total Fee:</p> <p>(37 CFR 3.41) \$ 160.00</p> <p><input checked="" type="checkbox"/> Enclosed.</p> <p><input type="checkbox"/> Authorized to be charged to deposit account.</p>  |  |
|   |  | <p>8. Deposit Account Number:</p> <p>14-0112</p> <p>ATTACH DUPLICATE COPY OF THIS PAGE IF PAYING BY DEPOSIT ACCOUNT.</p>   |  |

09/04/2003 STON11 00000262 09993374  
01 FC:8021 160.00 DP

DO NOT USE THIS SPACE

9. Statement and Signature:

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

Name of Person Signing

*Gary M. Nath*  
\_\_\_\_\_  
Gary M. Nath, Reg. No. 26,965  
Marvin C. Berkowitz, Reg. No. 47,421  
Customer No. 20,529

August 29, 2003  
Date

Attorney Docket No.: 90094; 90093; 90092; 90090

Total number of pages comprising cover sheet: 1

9731660253



**FINANCING STATEMENT** — FOLLOW INSTRUCTIONS CAREFULLY

This Financing Statement is presented for filing pursuant to the Uniform Commercial Code and will remain effective, with certain exceptions, for 5 years from date of filing

|   |                                     |
|---|-------------------------------------|
| A. NAME & TEL. # OF CONTACT AT FILER (optional)   | B. FILING OFFICE ACCT. # (optional) |
|   | 1105/ Tim Burnack                   |
| C. RETURN COPY TO (Name and Mailing Address)  |                                     |
| Imperial Bank<br>9920 South La Cienega Blvd., #628<br>Inglewood, Ca 90301<br>Attn: Lending Services/cv  |                                     |
| <input type="checkbox"/> OPTIONAL DESIGNATION IF APPLICABLE <input type="checkbox"/> LESSOR/LESSEE <input type="checkbox"/> CONSIGNOR/CONSIGNEE <input type="checkbox"/> NON-UCC FILING |                                     |

FILED  
SACRAMENTO, CA  
NOV 06, 1997 AT 0800

BILL JONES  
SECRETARY OF STATE

**1 DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b)**

|  |                                     |                           |   |
|--|-------------------------------------|---------------------------|---|
| 1a ENTITY'S NAME                                   |                                     |                           |   |
| ECO BUILDING SYSTEMS, INC., a Delaware corporation |                                     |                           |   |
| OR   |                                     | 1b INDIVIDUAL'S LAST NAME |   |
|  |                                     | FIRST NAME                | MIDDLE NAME SUFFIX  |
| 1c MAILING ADDRESS                                 |                                     | CITY                      | STATE COUNTRY POSTAL CODE   |
| 8316 Clairmont Mesa Blvd., #204                    |                                     | San Diego                 | CA 92111  |
| 1d SS OR TAX ID #                                  | OPTIONAL ADDL INFO RE ENTITY DEBTOR | 1e TYPE OF ENTITY         | 1f ENTITY'S STATE OR COUNTRY OF ORGANIZATION                          |
| 33-0588657   |                                     | corporation               | Delaware  |
|  |                                     |                           | 1g ENTITY'S ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE |

**2 ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b)**

|                           |  |                   |   |
|---------------------------|--|-------------------|---|
| 2a ENTITY'S NAME          |  |                   |   |
| OR                        |  |                   |   |
| 2b INDIVIDUAL'S LAST NAME |  | FIRST NAME        | MIDDLE NAME SUFFIX  |
| 2c MAILING ADDRESS        |  | CITY              | STATE COUNTRY POSTAL CODE   |
| 2d SS OR TAX ID #         |  | 2e TYPE OF ENTITY | 2f ENTITY'S STATE OR COUNTRY OF ORGANIZATION                          |
|                           |  |                   | 2g ENTITY'S ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE |

**3 SECURED PARTY'S (ORIGINAL B/P or ITS TOTAL ASSIGNEE) EXACT FULL LEGAL NAME - insert only one secured party name (3a or 3b)**

|                           |  |            |                           |
|---------------------------|--|------------|---------------------------|
| 3a ENTITY'S NAME          |  |            |                           |
| OR                        |  |            |                           |
| 3b INDIVIDUAL'S LAST NAME |  | FIRST NAME | MIDDLE NAME SUFFIX        |
| 3c MAILING ADDRESS        |  | CITY       | STATE COUNTRY POSTAL CODE |
| 701 B Street, #600        |  | San Diego  | CA 92101-8120             |

**4 This FINANCING STATEMENT covers the following types or items of property**

All personal property of Obligor (herein referred to as "Obligor" or "Debtor") whether presently existing or hereafter created, written, produced or acquired, including, but not limited to: (i) all accounts receivable, accounts, chattel paper, contract rights (including, without limitation, royalty agreements, license agreements and distribution agreements), documents, instruments, money, deposit accounts and general intangibles including, without limitation, returns, repossessions, books and records relating thereto, and equipment containing said books and records, all investment property including securities and securities entitlements, (ii) all software, computer source codes and other computer programs (collectively, the "Software Products"), and all common law and statutory copyrights and copyright registrations, applications for registration, now existing or hereafter arising, United States of America and foreign, obtained or to be obtained on or in connection with the Software Products, or any parts thereof or any underlying or component elements of the Software Products together with the right to copyright and all rights to renew or extend such copyrights and the right (but not the obligation) of Bank (herein referred to as "Bank" or "Secured Party") to sue in its own name and/or in the name of the Debtor for past, present and future infringements of copyright. (continued in Addendum)

|  |  |
|--|--|
| 5 CHECK <input type="checkbox"/> BOX (if applicable) This FINANCING STATEMENT is signed by the Secured Party instead of the Debtor to perfect a security interest (a) in collateral already subject to a security interest in another jurisdiction when it was brought into this state, or when the debtor's location was changed to the state, or (b) in accordance with other statutory provisions [additional data may be required] | 7 If filed in Florida (check one)<br><input type="checkbox"/> Documentary stamp tax paid <input type="checkbox"/> Documentary stamp tax not applicable   |
| 6 REQUIRED SIGNATURE(S)<br>ECO BUILDING SYSTEMS, INC., a Delaware corporation  | 8 <input type="checkbox"/> This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS (if applicable) Attach Addendum   |
| By:  | 9 Check to REQUEST SEARCH CERTIFICATE(S) on Debtor(s) (ADDITIONAL FEE) (optional)<br><input type="checkbox"/> All Debtors <input checked="" type="checkbox"/> Debtor 1 <input type="checkbox"/> Debtor 2 |

(1) FILING OFFICER COPY - NATIONAL FINANCING STATEMENT (FORM UCC 1) (TRANS) (REV. 12/18/05)

Imperial Bank Los Angeles, CA 90009  
P.O. Box 57991 310-417-6600

AdA NAME OF FIRST DEBTOR ON RELATED FINANCING STATEMENT

ENTITY'S NAME

ECO BUILDING SYSTEMS, INC., a Delaware corporation

OR

INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME SUFFIX

AdB MISCELLANEOUS

Ad1 ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one name (Ad1a or Ad1b)

Ad1a ENTITY'S NAME

OR

Ad1b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

Ad1c MAILING ADDRESS

CITY

STATE

COUNTRY

POSTAL CODE

Ad1e SS OR TAX ID #

OPTIONAL  
ADD'L INFO RE  
ENTITY DEBTOR

Ad1f TYPE OF ENTITY

Ad1i ENTITY'S STATE  
OR COUNTRY OF  
ORGANIZATION

Ad1g ENTITY'S ORGANIZATIONAL ID # (any)

NONE

Ad2 ADDITIONAL SECURED PARTY'S EXACT FULL LEGAL NAME - insert only one name (Ad2a or Ad2b)

Ad2a ENTITY'S NAME

OR

Ad2b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

Ad2c MAILING ADDRESS

CITY

STATE

COUNTRY

POSTAL CODE

Ad3a  This FINANCING STATEMENT covers interest to be paid, minerals or mineral-related accounts, or is filed as a future filing

Ad3b  This FINANCING STATEMENT covers crops growing or to be grown on the real estate described below

Ad4 Description of real estate

Ad7 Additional collateral description

(Continued from UCC-1)  
(ii) all goods including, without limitation, equipment and inventory (including, without limitation, all export inventory), (iv) all guarantees and other security therefor, (v) all trademarks, service marks, trade names and service names and the goodwill associated therewith, (vi) (a) all patents and patent applications filed in the United States Patent and Trademark Office or any similar office of any foreign jurisdiction, and interests under patent license agreements, including, without limitation, the inventions and improvements described and claimed therein, (b) licenses pertaining to any patent whether Debtor is licensor or licensee, (c) all income, royalties, damages, payments, accounts and accounts receivable now or hereafter due and/or payable under and with respect thereto, including, without limitation, damages and payments for past, present or future infringements thereof, (d) the right (but not the obligation) to sue for past, present and future infringements thereof, (e) all rights corresponding thereto throughout the world in all jurisdictions in which such patents have been issued or applied for, and (f) the reissues, divisions, continuations, renewals, extensions and continuations-in-part with any of the foregoing (all of the foregoing patents and applications and interests under patent license agreements, together with the items described in clauses (a) through (f) in this paragraph are sometimes herein individually and collectively referred to as the "Patents"), and (vii) all products and proceeds including, without limitation, insurance proceeds, of any of the foregoing.

Ad5 Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest)

Ad6 REQUIRED SIGNATURE  
ECO BUILDING SYSTEMS, INC., a Delaware corporation By: 

Ad8  Debtor is a TRANSMITTING UTILITY (if applicable)

(1) FILING OFFICER COPY - NATIONAL ADDENDUM (FORM UCC1Ad) (TRANS) (REV 12/18/05)

Impress Bank Los Angeles, CA 90009  
P O Box 92091 310-417-5000



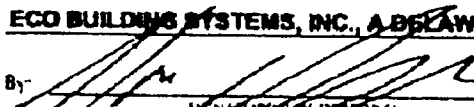
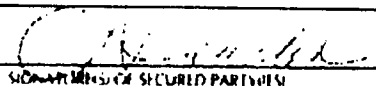
9731660253

This STATEMENT is presented for filing pursuant to the CALIFORNIA Uniform Commercial Code

|   |   |   |   |
|---|---|---|---|
| 1. FILE NUMBER OF FINANCING STATEMENT<br><b>9731680253</b>  | 1A. DATE OF FILING OF ORIG. FINANCING STATEMENT<br><b>11-8-97</b> | 1B. DATE OF ORIG. FINANCING STATEMENT   | 1C. PLACE OF FILING ORIG. FINANCING STATEMENT<br><b>SACRAMENTO</b>                            |
| 2. DEBTOR (LAST NAME FIRST)<br><b>ECO BUILDING SYSTEMS, INC., A DELAWARE CORPORATION</b>  |   |   | 3A. SOCIAL SECURITY NO. FEDERAL TAX NO.<br><b>33-0588687</b>                                  |
| 3B. ADDRESS (WHICH IS ASS. LAST NAME FIRST)<br><b>6316 CLAIRMONT MESA BOULEVARD, #204</b>   |   | 3C. CITY STATE<br><b>SAN DIEGO, CA.</b> | 3D. ZIP CODE<br><b>92111</b>  |
| 4. SECURED PARTY<br>NAME <b>IMPERIAL BANK</b><br>MAILING ADDRESS <b>701 B STREET, SUITE 600</b><br>CITY <b>SAN DIEGO</b> STATE <b>CA</b> ZIP CODE <b>92101-8120</b> |   |   | 4A. SOCIAL SECURITY NO., FEDERAL TAX NO. OR BANK TRANSIT AND A.R.A. NO.<br><b>18-144/1222</b> |
| 5. ASSIGNEE OF SECURED PARTY (IF ANY)<br>NAME<br>MAILING ADDRESS<br>CITY STATE ZIP CODE   |   |   | 5A. SOCIAL SECURITY NO., FEDERAL TAX NO. OR BANK TRANSIT AND A.R.A. NO.                       |

- A  CONTINUATION--The original Financing Statement between the foregoing Debtor and Secured Party bearing the file number and date shown above is continued. If collateral is crops or timber, check here  and insert description of real property on which growing or to be grown in Item 7 below.
- B  RELEASE--From the collateral described in the Financing Statement bearing the file number shown above, the Secured Party releases the collateral described in item 7 below.
- C  ASSIGNMENT--The Secured Party certifies that the Secured Party has assigned to the Assignee above named, all the Secured Party's rights under the Financing Statement bearing the file number shown above in the collateral described in item 7 below.
- D  TERMINATION--The Secured Party certifies that the Secured Party no longer claims a security interest under the Financing Statement bearing the file number shown above.
- E  AMENDMENT--The Financing Statement bearing the file number shown above is amended as set forth in Item 7 below. (Signature of Debtor required on all amendments.)
- F  OTHER

7. CHANGE DEBTORS ADDRESS TO: 596 SANDPIPER WAY, BUILDING 912, CHULA VISTA, CA. 91910

|  |         |   |
|--|---------|---|
| (Date) <b>APRIL 28 1999</b>  |         | C<br>O<br>D<br>E<br><br>9. THIS SPACE FOR USE OF FILING OFFICER<br><br><b>99139C0337</b><br><br><br><br><br><br>FILED<br>SACRAMENTO, CA<br>MAY 17, 1999 AT 0800<br>BILL JONES<br>SECRETARY OF STATE |
| <b>ECO BUILDING SYSTEMS, INC., A DELAWARE CORPORATION</b>  |         |   |
| By:    | (TITLE) |   |
| <b>IMPERIAL BANK</b>   |         |   |
| By:   | (TITLE) |   |
| 10. Return copy to<br><b>IMPERIAL BANK<br/>LOAN DOCUMENTATION SERVICES<br/>9920 S. LA CIENEGA BL STE 628<br/>INGLEWOOD, CA 90301<br/>ATTN: SOKI WISE<br/>BR: 3805/RD</b> |         |   |
| NAME ADDRESS CITY AND STATE  |         |   |
| Filing officer is requested to note date and hour of filing on (1) Filing Officer Copy. Acknowledgement and return to the above party.                                   |         |   |
| UNIFORM COMMERCIAL CODE - FORM UCC-2   |         |   |

(1) Secured Party Copy