

Form PTO-1595  
(rev 3/1)**RECORDATION FORM COVER SHEET  
PATENTS 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.

## 1. Name of conveying party(ies):

**Bank of America, N.A.  
335 Madison Avenue  
New York, NY 10017**☐ Individual(s) ☐ Association  
☐ General Partnership  
☐ Limited Partnership  
☐ Corporation  
☒ Other – **National Banking Association**Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and Address of receiving party(ies)

**Vigilant Networks LLC  
C/o Krone Inc.  
7229 South Alton Way  
Centennial, CO 80112**

## 3. Nature of conveyance:

☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other – **Release of Security Interest (Patents)**Execution Date: **May 18, 2004**☐ Individual(s) citizenship☐ Association☐ General Partnership☐ Limited Partnership☐ Corporation☒ Other – **Delaware Limited Liability****Company**If assignee is not domiciled in the United States, a domestic  
representative designation is attached: ☐ Yes ☒ No  
(Designations must be a separate document from assignment)Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

A. Patent Application No(s).

**None**

B. Patent No(s).

**Please see attached.**Additional numbers attached? ☒ Yes ☐ No

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

**Kenneth A. Rubenstein, Esq.  
SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM LLP  
Four Times Square  
New York, New York 10036**6. Total number of applications/patents involved: **12**7. Total fee (37 CFR 3.41) **\$480**☒ All fees and any deficiencies are authorized to be  
charged to Deposit Account  
(Our Ref. 049900/1)8. Deposit Account No. **19-2385**

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.***Kenneth A. Rubenstein**

Name



Signature

**May 19, 2004**

Date

Total number of pages including cover sheet, attachments, and document: **6**

CH \$480.00 192385 09871053

**CONTINUATION OF ITEM 4. Patent Application Numbers or Patent Numbers**

A. Patent Application No(s).	B. Patent No(s).
09871053	6138080
09904822	6016464
09474390	6675328
08619934	6657437
09429458	6397159
	6356532
	6324168

RELEASE OF  
SECURITY INTEREST (PATENTS)

This RELEASE OF SECURITY INTEREST (PATENTS) (this "Release") is granted on this 8<sup>TH</sup> day of May, 2004 (the "Effective Date"), by Bank of America, N.A., a national banking association, having an office at 335 Madison Avenue, New York, NY 10017, as agent for the lenders (in such capacity as agent, "Assignor"), to Vigilant Networks LLC, a Delaware limited liability company, with its principal office at c/o Krone Inc., 7229 South Alton Way, Centennial, CO 80112 ("Assignee"), as follows:

WHEREAS, Assignee and Assignor are parties to a Grant of Security (Patents), dated November 10, 2003, which was recorded in the U.S. Patent and Trademark Office, as well as a Security Agreement, dated as of November 10, 2003 (collectively, the "Security Agreement");


WHEREAS, pursuant to the Security Agreement, Assignee granted to Assignor a continuing security interest in, and lien on, all right, title and interest of Assignee in and to the Patents, as defined in the Security Agreement, including, but not limited to the U.S. patents and patent applications listed on Schedule A hereto (the patents and patent applications listed on such Schedule A, the "Sold Collateral"), as security for all Obligations, as defined in the Security Agreement; and

WHEREAS, Assignee has sold the Sold Collateral and Assignor desires to release its continuing security interest in, and lien on, all right, title and interest of Assignee in and to the Sold Collateral.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby releases its continuing security interest in, and lien on, all right, title and interest of Assignee in and to the Sold Collateral and reassigns, without representation, warranty or recourse, any and all such interests in the Sold Collateral to Assignee; provided that such release and reassignment shall not affect the security interest in, and lien on, any other collateral in which the Assignee granted a security interest or lien under the Security Agreement.

IN WITNESS WHEREOF, Assignor has caused this Release to be duly executed by its officer thereunto duly authorized as of the Effective Date.

BANK OF AMERICA, N.A., as Agent

By:   
 Name: EDMUNDO KAHN  
 Title: VICE-PRESIDENT

STATE OF NEW YORK     )  
                                       )  
 COUNTY OF NEW YORK    )     ss.:

On this 18<sup>TH</sup> day of May, 2004, before me personally came EDMUNDO KAHN who is personally known to me to be a Vice President of Bank of America, N.A., a national banking association; who, being duly sworn, did depose and say that she/he is a Vice President of such banking association, the banking association described in and which executed the foregoing instrument; that she/he executed and delivered said instrument pursuant to authority given by the Board of Directors of such banking association, and that she/he acknowledged said instrument to be the free act and deed of said banking association.

HANNELORE GABRIELA BRAUNSTEIN  
 Notary Public, State of New York  
 No. 01BR6060756  
 Qualified in Kings County  
 Commission Expires July 2, 20 07

  
 Notary Public

(PLACE STAMP ABOVE)

Schedule A to Release

(see attached)

**SCHEDULE A TO RELEASE OF SECURITY****PATENTS**

<b>Title</b>	<b>Jurisdiction</b>	<b>Pat. No. (App. No.)</b>	<b>Issue Date (App. Date)</b>	<b>Status/Comments</b>
Method and system for node side analysis of computer network link	USA	6,138,080	10/24/2000	Issued
Method and system for characterizing terminations in a local area network	USA	6,016,464	01/18/2000	Issued
Packet network monitoring device	USA	(08/619,934)	03/18/1996	
Packet network monitoring device	USA	(09/429,458)	(10/28/1999)	
System and method to determine data throughput in a communication network	USA	6,675,328	01/06/2004	Issued
Method and system for performing time domain reflectometry contemporaneously	USA	6,657,437	12/02/2003	Issued
Method and system for characterizing terminations in a local area network	USA	6,397,159	05/28/2002	Issued
Computer network cross-connect panel providing physical layer monitoring and method therefor	USA	6,356,532	03/12/2002	Issued
Computer network physical-layer analysis method and system	USA	(09/474,390)	(12/29/1999)	
Method and system for computer network link with undefined termination condition	USA	6,324,168	11/27/2001	Issued
Method and system for computer network link with undefined termination condition	USA	(09/871,053)	(05/31/2001)	Published with publication no. 20020021676
Single ended attenuation measurement	USA	(09/904,822)	(07/13/2001)	Published with publication no. 20020105912