

09-02-2004



102827792

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):

Deutsche Bank AG New York Branch

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

3. Nature of conveyance:

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

Execution Date: August 2, 2004

2. Name and address of receiving party(ies)

Name: Pierce Biotechnology, Inc.

Internal Address:

Street Address: 3747 North Meridian Road

City: Rockford State: IL Zip: 61105

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)
Please see attached.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:

Name: Scott D. Sanford, Esq.

Internal Address: O'Melveny & Myers LLP

Embarcadero Center West

Street Address: 275 Battery Street

City: San Francisco State: CA Zip: 94111

6. Total number of applications and patents involved: 46

7. Total fee (37 CFR 3.41).....\$ 1,840.00

- ☒ Enclosed
☒ Authorized to be charged to deposit account
- OVERPAYMENT / UNDERPAYMENT

8. Deposit account number:

50-0639

DO NOT USE THIS SPACE

9. Signature.

09/01/2004 DAYONE 00000004 4700838

01 FC-8021

1840.00
Scott D. Sanford, Esq.

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: 12

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

SF1: 556679

PATENT
REEL: 015756 FRAME: 0294

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

1. Name of conveying party(ies):

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other _____

Execution Date: _____

2. Name and address of receiving party(ies)

Name: HyClone Laboratories, Inc.

Internal Address: _____

Street Address: 925 West 1800 SouthCity: Logan State: UT Zip: 84321Additional 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) _____

Additional numbers attached? ☐ Yes ☐ No

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

Name: _____

Internal Address: _____

Street Address: _____

City: _____ State: _____ Zip: _____

6. Total number of applications and patents involved: ☐

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

☐ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number: _____

DO NOT USE THIS SPACE

9. Signature.

Name of Person Signing_____
Signature_____
DateTotal number of pages including cover sheet, attachments, and documents: ☐

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

PATENTS OWNED BY HYCLONE LABORATORIES, INC.

U.S. Patent Registrations

<u>Patent Numbers</u>	<u>Issue Date</u>
4,700,838	10/20/1987
5,350,080	09/27/1994
5,362,642	11/08/1994
5,409,827	04/25/1995
5,687,993	11/18/1997
5,799,830	09/01/1998
5,941,635	08/24/1999
6,086,574	07/11/2000
6,071,005	06/06/2000

U.S. Patent Applications

<u>Serial No.</u>	<u>Filing Date</u>
10/402,359	03/28/2003
60/458,677	03/28/2003
60/458,895	03/28/2003

PATENTS OWNED BY PIERCE BIOTECHNOLOGY, INC.¹

U.S. Patent Registrations

<u>Patent Numbers</u>	<u>Issue Date</u>
4,839,295	06/13/1989
5,112,952	05/12/1992
5,219,258	06/15/1993
5,266,686	11/30/1993
5,292,636	03/08/1994
5,503,741	04/02/1996
5,527,688	06/18/1996
5,532,379	07/02/1996
5,538,858	07/23/1996
5,872,261	02/16/1999
5,892,057	04/06/1999
5,942,628	08/24/1999
6,039,871	03/21/2000
6,040,150	03/21/2000
6,174,704	01/16/2001
6,407,263	06/18/2002
6,432,662	08/13/2002
6,437,179	08/20/2002
6,540,897	04/01/2003

U.S. Patent Applications

<u>Serial No.</u>	<u>Filing Date</u>
09/883,100	06/15/2001
09/915,214	07/25/2001
10/096,064	03/12/2002

10/105,053	03/22/2002
10/130,852	11/21/2000
10/157,757	05/29/2002
10/298,239	11/15/2002
10/298,261	11/15/2002
60/441,214	01/21/2003
60/488,598	07/21/2003
PCT/US02/06876	03/07/2002 – WIPO filing
PCT/US02/28581	09/06/2002 – WIPO filing
PCT/US02/36905	11/18/2002 – WIPO filing
PCT/US03/03193	02/04/2003 – WIPO filing
PCT/US99/16409	07/21/1999 – WIPO filing

RELEASE OF SECURITY INTEREST IN PATENTS

This Release of Security Interest in Patents ("**Release**") is dated as of August 2, 2004 by Deutsche Bank AG New York Branch, a corporation organized under the law of New York, successor in interest to JP Morgan Chase Bank, located at 60 Wall Street, New York, NY 10005 ("**Deutsche Bank**"), in favor of Pierce Biotechnology, Inc. (f/k/a Pierce Chemical Company), a corporation organized under the law of Delaware located at 3747 North Meridian Road, Rockford, Illinois 61105 ("**Pierce Biotechnology**") and HyClone Laboratories, Inc., a corporation organized under the law of Utah located at 925 West 1800 South, Logan, UT 84321 ("**HyClone**") (Pierce Biotechnology and HyClone are individually referred to herein as "**Grantor**" and collectively referred to herein as "**Grantors**"). Capitalized terms not defined in this Release have meanings set forth for such terms in Collateral Agreement or Supplement No. 1 (as respectively defined below).

WHEREAS, Fisher Scientific International Inc. ("**FSII**"), Fisher Scientific Company L.L.C. ("**Fisher Scientific**"), certain other subsidiaries of FSII party thereto and JP Morgan Chase Bank, as collateral agent, entered into a Guarantee and Collateral Agreement, dated February 14, 2003 (as amended, restated, supplement or otherwise modified from time to time, the "**Collateral Agreement**"). Pursuant to Supplement No. 1 of the Collateral Agreement, dated December 30, 2003 ("**Supplement No. 1**"), among Deutsche Bank, successor in interest to JP Morgan Chase Bank, in such capacity as collateral agent, Pierce Biotechnology, Pierce Milwaukee, Inc., and HyClone (individually the "**New Subsidiary**" and collectively, the "**New Subsidiaries**"), each New Subsidiary to the Collateral Agreement, as security for the payment and performance in full of the Obligations, created and granted to Deutsche Bank, its successors and assigns, for the benefit of the Secured Parties, their successors and assigns, a security interest in and lien on all of such New Subsidiary's right, title and interest in and to the Collateral of such New Subsidiary.

WHEREAS, the New Subsidiaries have paid and performed in full the Obligations and Deutsche Bank desires to release its security interest in the Collateral, including the patents and patent applications listed on the attached Schedule A (the "**Patents**").

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Deutsche Bank hereby notifies, acknowledges to and agrees with the New Subsidiaries that the security interest in the Collateral granted by Grantors to Deutsche Bank pursuant to the terms of the Collateral Agreement, Supplement No. 1 and the Grant of Security, including, without limitation, the Patents listed on the attached Schedule A, is terminated and released as of the date hereof, and that Deutsche Bank hereby releases and forever discharges all of its right, title and interest of any kind or nature granted, assigned or conveyed pursuant to the Grant of Security in and to the Collateral, including the Patents.

Deutsche Bank hereby agrees to take such further actions and to execute such further documents as Grantors may reasonably request to effect and evidence this Release of Security Interest in Patents, including, without limitation, the execution of any filings, statements, amendments, recordations or other instruments required to maintain the applications

or registrations of the Collateral and record the chain of title accordingly with the United States Patent and Trademark Office.

[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF, Deutsche Bank has caused this Release of Security Interest in Patents to be duly executed and delivered by its duly authorized officer as of the date first above written.

DEUTSCHE BANK AG, NEW YORK BRANCH,
as Administrative Agent

By: Carin M. Keegan
Name: Carin M. Keegan
Title: Vice President

and

By: Scotty Lindsey
Name: Scotty Lindsey
Title: Director

**SCHEDULE A
TO
RELEASE OF PATENT SECURITY INTEREST**

See attached.

PATENTS OWNED BY HYCLONE LABORATORIES, INC.

U.S. Patent Registrations

<u>Patent Numbers</u>	<u>Issue Date</u>
4,700,838	10/20/1987
5,350,080	09/27/1994
5,362,642	11/08/1994
5,409,827	04/25/1995
5,687,993	11/18/1997
5,799,830	09/01/1998
5,941,635	08/24/1999
6,086,574	07/11/2000
6,071,005	06/06/2000

U.S. Patent Applications

<u>Serial No.</u>	<u>Filing Date</u>
10/402,359	03/28/2003
60/458,677	03/28/2003
60/458,895	03/28/2003

PATENTS OWNED BY PIERCE BIOTECHNOLOGY, INC.¹

U.S. Patent Registrations

<u>Patent Numbers</u>	<u>Issue Date</u>
4,839,295	06/13/1989
5,112,952	05/12/1992
5,219,258	06/15/1993
5,266,686	11/30/1993
5,292,636	03/08/1994
5,503,741	04/02/1996
5,527,688	06/18/1996
5,532,379	07/02/1996
5,538,858	07/23/1996
5,872,261	02/16/1999
5,892,057	04/06/1999
5,942,628	08/24/1999
6,039,871	03/21/2000
6,040,150	03/21/2000
6,174,704	01/16/2001
6,407,263	06/18/2002
6,432,662	08/13/2002
6,437,179	08/20/2002
6,540,897	04/01/2003

U.S. Patent Applications

<u>Serial No.</u>	<u>Filing Date</u>
09/883,100	06/15/2001
09/915,214	07/25/2001
10/096,064	03/12/2002

10/105,053	03/22/2002
10/130,852	11/21/2000
10/157,757	05/29/2002
10/298,239	11/15/2002
10/298,261	11/15/2002
60/441,214	01/21/2003
60/488,598	07/21/2003
PCT/US02/06876	03/07/2002 – WIPO filing
PCT/US02/28581	09/06/2002 – WIPO filing
PCT/US02/36905	11/18/2002 – WIPO filing
PCT/US03/03193	02/04/2003 – WIPO filing
PCT/US99/16409	07/21/1999 – WIPO filing