

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY
CONVEYING PARTY DATA	
Name	Execution Date
East-West Capital Associates, Inc.	06/27/2003
RECEIVING PARTY DATA	
Name:	Avalon Digital Marketing Systems, Inc.
Street Address:	2120 Main Street
Internal Address:	Suite 200
City:	Huntington Beach
State/Country:	CALIFORNIA
Postal Code:	92648
PROPERTY NUMBERS Total: 1	
Property Type	Number
Patent Number:	6449635
CORRESPONDENCE DATA	
Fax Number:	(770)804-0900
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	770-804-9080
Email:	swigmore@sentrylg.com
Correspondent Name:	Steven P Wigmore
Address Line 1:	Sentry Law Group
Address Line 2:	Two Ravinia Drive, Suite 700
Address Line 4:	Atlanta, GEORGIA 30346
ATTORNEY DOCKET NUMBER:	19011.1500
NAME OF SUBMITTER:	Steven P Wigmore, Reg. No. 40,447
Total Attachments: 6 source=EastWest Release of Avalon - six pages - executed June 27 2003#page1.tif source=EastWest Release of Avalon - six pages - executed June 27 2003#page2.tif	

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EAST-WEST CAPITAL ASSOCIATES

10900 WILSHIRE BLVD., SUITE 950 • LOS ANGELES, CALIFORNIA 90024 • PHONE (310) 209-6150 • FAX (310) 209-6160

June 27, 2003

Via Facsimile & U.S. Mail

Robert L. Webber
Avalon Digital Marketing Systems
19782 MacArthur Blvd., Suite 100
Irvine, CA 92612

Gentlemen:

Reference is hereby made to the Convertible Promissory Note and Security Agreement (the "Loan Arrangement") between Avalon Digital Marketing Systems, Inc. (the "Company") and East-West Capital Associates, Inc. ("East-West"). The Company's obligations to East-West are secured by a security interest in and to certain of the Company's assets. In connection therewith, East-West has filed a Financing Statement (Form UCC-1) with the Secretary of State of Delaware (filing number 3079475) (the "Financing Statement") and with the Patent and Trademark Office

The Company has advised East-West that the Company intends to enter into an Asset Purchase Agreement (the "Asset Purchase Agreement") with Silverpop Systems Inc. ("Silverpop"), pursuant to which the Company intends to sell and transfer all of its assets related to its business of providing e-mail marketing services utilizing the Company's Radical Mail, Messenger, Control Commerce and Launchpad proprietary software applications, together with modifications made thereto specifically, and the technology of the business formerly known as MindArrow. The Company and East-West have agreed that the following amounts are required to be paid to East-West in order to satisfy the Company's obligations under the Loan Arrangement:

Obligations

Principal:	\$200,000.00
Interest:	6,958.90
Total:	\$206,958.90

Interest shall continue to accrue at the daily amount of \$54.79 from and after June 27, 2003. All payments are to be sent by federal funds wire transfer pursuant to the wire transfer instructions attached hereto as Exhibit A.

Upon East-West's receipt of the amounts set forth above, which will be confirmed to you upon receipt thereof, the Company is authorized to file the UCC Financing Statement Amendment and the Release and Reassignment of Patent and Patent Applications attached hereto as Exhibit B, indicating the termination of the Financing Statement referenced above. In addition, at the request of the Company, East-West shall prepare all necessary further discharges, releases and other documents that may be necessary to release any security interests, pledges, or mortgages held by East-West in and to the Company's assets in connection with the Loan Agreement.

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June 27, 2003
Page Two

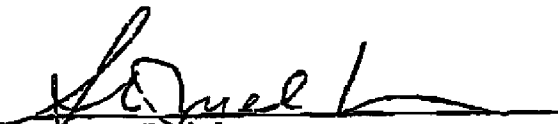
Upon receipt of the amounts set forth above, East-West shall be deemed to have confirmed and agreed that (a) the obligations pursuant to the Loan Arrangement have been satisfied and paid in full, and (b) the security agreements, pledge agreements and other agreements, including, without limitation, the Financing Statement, evidencing collateral pledged to the Bank pursuant to the Loan Arrangement have been terminated and are of no further force and effect.

The authority conferred herein and the arrangements confirmed herein shall expire at the close of business on Thursday, July 3, 2003 if the required payments have not been transmitted by such time to East-West.

Very truly yours,

EAST-WEST CAPITAL ASSOCIATES, INC.

By:


Stuart D. Buchalter
Vice President

SDB:mg

cc: Merv Adelson
Lajuana Latiolais, Assante Business Management (via facsimile)

Jun-30-03 12:52pm From-SYC&R 6
Jun-27-03 11:52am From-BUCHALTER 213 896-0400

949 725 4100

T-915 P.013/018 F-740

EXHIBIT A
WIRE INSTRUCTIONS

563854 1116004 0009
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Jun-30-03 12:52pm From-SYC&R 6
Jun-27-03 11:53am From-BUCHALTER 213 895-0400

949 725 4100

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Wires coming to the firm should be directed as follows:

Wire Instructions for Client Trust Account

California Bank & Trust
550 South Hope Street
Suite 100
Los Angeles, CA 90071
ABA #121002042
Account Name: Buchalter, Nemer, Fields & Younger
Account Number: 3240008521
Reference: Client Name

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Jun-30-03 12:52pm From-SYC&R 6
Jun-27-03 11:53am From-BOOKALTER 213 886-0400

948 725 4100

T-915 P.015/018 F-740

EXHIBIT B

UCC FINANCING STATEMENT AMENDMENT (FORM UCC-3)

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UCC FINANCING STATEMENT AMENDMENT

FOLLOW (INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO (Name and Address)

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

12. INITIAL FINANCING STATEMENT FILE #
30469380

13. This FINANCING STATEMENT AMENDMENT is
to be filed (for recording) (or recorded) in the
REAL ESTATE RECORDS

2. ☒ **TERMINATION.** Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing the Termination Statement.

3. ☐ **CONTINUATION.** Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing the Continuation Statement is continued for the additional period provided by applicable law.

4. ☐ **ASSIGNMENT (entire 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 ☐ Debtor or ☐ Secured Party or record. Check only ONE of these two boxes.

Also check ONE of the following three boxes and provide appropriate information in items 6 and/or 7.

☐ **CHANGE name and/or address.** Give current record name in item 6a or 6b; and give new name (if name change) in item 7a or 7b and/or new address (if address change) in item 7c.
☐ **DELETE name.** Give record name to be deleted in item 6a or 6b.
☐ **ADD name.** Complete item 7a or 7b, and also item 7c, when completing items 7a-7c (if applicable).

6. **CURRENT RECORD INFORMATION:**

6a. ORGANIZATION'S NAME
AVALON DIGITAL MARKETING SYSTEMS, INC.

OR 6b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7. **CHANGED (NEW) 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 # SSN OR EIN ADDL INFO RE ORGANIZATION DEBTOR 7e. TYPE OF ORGANIZATION 7f. JURISDICTION OF ORGANIZATION 7g. ORGANIZATIONAL ID #, if any ☐ NONE

8. **AMENDMENT (COLLATERAL CHANGE):** check only ONE box

Describe collateral: ☐ deleted or ☐ added, or give entire ☐ revised collateral description, or describe collateral ☐ assigned.

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 when such collateral or debt is authorized by Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME
EAST-WEST CAPITAL ASSOCIATES, INC.

OR 9b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

10. **OPTIONAL FILER REFERENCE DATA**

DELAWARE SECRETARY OF STATE (orig. UCC1 filed 2-25-03)

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT AMENDMENT (FORM UCC3) (REV. 07/29/98)

PATENT

RECORDED: 08/06/2009

REEL: 023056 FRAME: 0818