

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT3841324

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST
CONVEYING PARTY DATA	
Name	Execution Date
OPTEX SYSTEMS, INC.	05/22/2014
RECEIVING PARTY DATA	
Name:	AVIDBANK
Street Address:	50 WEST SAN FERNANDO STREET, SUITE 850
City:	SAN JOSE
State/Country:	CALIFORNIA
Postal Code:	95113
PROPERTY NUMBERS Total: 4	
Property Type	Number
Patent Number:	8638387
Patent Number:	D744567
Patent Number:	9057876
Application Number:	14101799
CORRESPONDENCE DATA	
Fax Number:	(650)644-0520
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>	
Phone:	6506483802
Email:	PATTY@PATTYCHENG.COM
Correspondent Name:	PATTY CHENG
Address Line 1:	2625 MIDDLEFIELD RD., #215
Address Line 4:	PALO ALTO, CALIFORNIA 94306
ATTORNEY DOCKET NUMBER:	2-1022
NAME OF SUBMITTER:	PATTY CHENG
SIGNATURE:	/s/ Patty Cheng
DATE SIGNED:	04/22/2016
Total Attachments: 5	
source=Optex - A&R IPSA - executed (updated April 2016)#page1.tif	
source=Optex - A&R IPSA - executed (updated April 2016)#page2.tif	
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AMENDED AND RESTATED INTELLECTUAL PROPERTY SECURITY AGREEMENT

THIS AMENDED AND RESTATED INTELLECTUAL PROPERTY SECURITY AGREEMENT is entered into as of May 22, 2014 by and between **AVIDBANK** (fka Peninsula Bank Business Funding, a division of the Private Bank of the Peninsula, "Bank") and **OPTEX SYSTEMS, INC.**, a Delaware corporation ("Grantor").

RECITALS

Grantor and Bank are parties to that certain Intellectual Property Security Agreement dated as of March 4, 2010 (the "Original IPSA"). The parties desire to amend and restate the Original IPSA in accordance with the terms of this Agreement.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the parties hereby agree that this Agreement completely amends and restates, without novation, the Original IPSA. Grantor hereby covenants and agrees as follows:

To secure performance of Grantor's obligations under the Loan and Security Agreement dated as of March 4, 2010 and as amended and restated on even date herewith (the "Loan Agreement"), Grantor grants to Bank a security interest in all of Grantor's right, title and interest in Grantor's intellectual property (including without limitation those Copyrights, Patents and Trademarks listed on Exhibits A, B and C hereto), including without limitation all proceeds thereof (such as, by way of example but not by way of limitation, license royalties and proceeds of infringement suits). This security interest is granted in conjunction with the security interest granted to Bank under the Loan Agreement. Each right, power and remedy of Bank provided for herein or in the Loan Agreement shall not preclude the simultaneous or later exercise by Bank of any or all other rights, powers or remedies.

This Affirmation may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original hereof. Notwithstanding the foregoing, Grantor shall deliver all original signed documents no later than ten (10) Business Days following the date of execution.

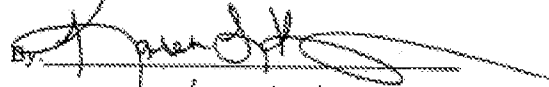
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IN WITNESS WHEREOF, the parties have caused this Intellectual Property Security Agreement to be duly executed as of the first date written above.

Address of Grantor:

1420 Presidential Drive
Richardson, TX 75081
Attn: Stanley Hirschman, President

Optex Systems, Inc.

By: 

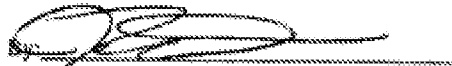
Print Name: Karen L. Hastings

Title: VP Finance

Address of Bank:

50 West San Fernando Street, Suite 850
San Jose, California 95113
FAX: 408-206-7399
Attn: Jon Krogstad

AVIDBANK

By: 

Print Name: JON KROGSTAD

Title: SVP

EXHIBIT A

Copyrights

Please Check Box if No Copyrights Exist ☒

Title	Registration Number	Registration Date
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EXHIBIT B

Patents

Please Check Box if No Patents Exist ☐

Title	Serial/ Patent Number	Application/ Issue Date
Multiple spectral single image sighting system using single objective lens set	8,638,387	January 28, 2014
Armored vehicle day night viewer	D744,567	December 1, 2015
ICWS Periscope	9,057,876	June 16, 2015
MULTIPLE SPECTRAL SINGLE IMAGE SIGHTING SYSTEM USING SINGLE OBJECTIVE LENS SET	14/101799	July 31, 2014

EXHIBIT C

Trademarks

Please Check Box if No Trademarks Exist ☐

<u>Description</u>	<u>Serial / Registration Number</u>	<u>Application /Registration Date</u>
RED TAIL	4885294	January 12, 2016
OPTEX	85588788*	April 4, 2012
OPTEVISION	85471345*	November 14, 2011
OPTEVISION	85092874*	July 26, 2010

*Indicates dead, abandoned or cancelled trademark