

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
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EPAS ID: PAT6720542

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST
SEQUENCE:	2

CONVEYING PARTY DATA

Name	Execution Date
MIDCAP FUNDING IV TRUST (AS SUCCESSOR BY ASSIGNMENT FROM MIDCAP FUNDING X TRUST, AS SUCCESSOR BY ASSIGNMENT FROM MIDCAP FUNDING IV TRUST, AS SUCCESSOR BY ASSIGNMENT FROM MIDCAP FINANCIAL TRUST)	05/14/2021

RECEIVING PARTY DATA

Name:	ACCURAY INCORPORATED
Street Address:	1310 CHESAPEAKE TERRACE
City:	SUNNYVALE
State/Country:	CALIFORNIA
Postal Code:	94089
Name:	TOMOTHERAPY INCORPORATED
Street Address:	1310 CHESAPEAKE TERRACE
City:	SUNNYVALE
State/Country:	CALIFORNIA
Postal Code:	94089

PROPERTY NUMBERS Total: 19

Property Type	Number
Patent Number:	7894649
Patent Number:	9883818
Patent Number:	9895555
Patent Number:	9943707
Patent Number:	9950193
Patent Number:	9943705
Application Number:	15875966
Application Number:	15875975
Application Number:	15875683
Application Number:	15927843
Application Number:	15916068
Application Number:	15870207

PATENT

Property Type	Number
Application Number:	15922688
Application Number:	15862438
Application Number:	15862449
Application Number:	15862461
Application Number:	15862477
Application Number:	15862497
Application Number:	15945580

CORRESPONDENCE DATA

Fax Number:

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.

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ATTORNEY DOCKET NUMBER: 1375615 PAT REL B

NAME OF SUBMITTER: SONYA JACKMAN

SIGNATURE: /Sonya Jackman/

DATE SIGNED: 05/20/2021

Total Attachments: 6

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RELEASE OF SECURITY INTEREST IN PATENTS

May 14, 2021

THIS RELEASE OF SECURITY INTEREST IN PATENTS (this “Release”) is made as of May 14, 2021 (“Effective Date”) by and between MIDCAP FUNDING IV TRUST, a Delaware statutory trust (as successor by assignment from MidCap Funding X Trust, as successor by assignment from MidCap Funding IV Trust, as successor by assignment from MidCap Financial Trust), in its capacity as administrative agent for the Lenders party to the Credit Agreement (defined below) (together with its successors and assigns, “Grantee”), and ACCURAY INCORPORATED, a Delaware corporation and TOMOTHERAPY INCORPORATED, a Wisconsin corporation (individually and collectively, the “Grantor”).

WHEREAS, Grantor, Grantee and Lenders are parties to that certain Credit and Security Agreement dated June 14, 2017 (as the same may have been amended, restated, supplemented, or otherwise modified from time to time, the “Credit Agreement”) (all terms capitalized but not otherwise defined herein shall have the same meanings herein as in the Credit Agreement), providing for extensions of credit to Grantor by Lenders;

WHEREAS, pursuant to the terms of the Credit Agreement and certain other Financing Documents executed by Grantor in favor of Grantee, Grantor previously granted to Grantee, for the benefit of Lenders, a security interest in substantially all of the assets of Grantor including all right, title and interest of Grantor in, to and under all now owned and hereafter issued, (i) letters patent of the United States or any other country and all reissues and extensions thereof, and (ii) applications for letters patent of the United States or any other country and all divisions, continuations and continuations-in-part thereof ((i) and (ii), collectively, “Patents”), (iii) any agreement, whether written or oral, providing for the grant by or to Grantor of any right to manufacture, use or sell any invention covered by a Patent (collectively, the “Patent Licenses”), (iv) all rights (but not obligations) corresponding thereto to sue for past, present and future infringements and all re-issues, divisions, continuations, renewals, extensions and continuations-in-part thereof, and (v) all royalties, fees, income, payments and other proceeds thereof, to secure the payment of all of the Obligations owing under the Credit Agreement;

WHEREAS, pursuant to the terms and conditions of that certain Supplement to Patent Security Agreement by and between Grantor and Grantee, dated May 1, 2018 (as the same may have been amended, restated, supplemented, or otherwise modified from time to time, the “Patent Security Agreement”), Grantor granted, and reaffirmed its prior grant pursuant to the Credit Agreement and the other Security Documents, to Grantee, for its benefit and the benefit of the Lenders, among other things, a continuing security interest in Grantor’s entire right, title and interest in and to the following (all of the following items or types of property being herein collectively referred to as the “Patent Collateral”), whether now owned or existing and hereafter created, acquired or arising:

(i) each United States Patent listed on Schedule A annexed hereto, together with any reissues, continuations or extensions thereof, and all re-issues, divisions, continuations, renewals, extensions and continuations-in-part thereof; and

(ii) all royalties, fees, income, payments and other proceeds of the foregoing, including without limitation, any claim by Grantor against third parties for past, present or future infringement or contributory infringement of any such United States Patent;

WHEREAS, the Patent Security Agreement was recorded with the United States Patent and Trademark Office on July 12, 2018 at Reel 046336, Frame 0932;

WHEREAS, Grantor, Grantee and Lenders have agreed to terminate the Credit Agreement and the Grantee has, at Grantor's request, agreed to release its security interest in the Patent Collateral;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantee hereby terminates, cancels, discharges, reassigns and releases to the Grantor any and all liens and security interests it has against, and any and all right, title and interest it may have in or to, the Patent Collateral.

Grantee shall, at Grantor's expense, take all further actions, and provide to Grantor, its successors, assigns or other legal representatives, all such cooperation and assistance (including, without limitation, the execution and delivery of any and all documents or other instruments), reasonably requested by Grantor to more fully and effectively effectuate the purposes of this Release.

[Signature Page Follows]

GRANTEE:

MIDCAP FUNDING IV TRUST (as successor by assignment from MidCap Funding X Trust, as successor by assignment from MidCap Funding IV Trust, as successor by assignment from MidCap Financial Trust), a Delaware statutory trust

By: Apollo Capital Management, L.P.
Its: Investment Manager

By: Apollo Capital Management, GP, LLC
Its: General Partner

By: _____
Maurice Amsellem
Authorized Signatory

SCHEDULE A**UNITED STATES PATENTS**

Patent Description	Date Filed	Grant Date	U.S. Patent No.	Owner
TARGET TRACKING USING DIRECT TARGET REGISTRATION	11/2/06	2/22/11	7894649	Accuray Incorporated
FIDUCIAL LOCALIZATION	6/1/08	2/6/18	9883818	Accuray Incorporated
IMAGING METHODS FOR IMAGE-GUIDED RADIATION TREATMENT	7/29/14	2/20/18	9895555	Accuray Incorporated
TRACKING A TARGET STRUCTURE CONTAINED WITHIN A TARGET VOLUME USING AN X-RAY TOMOSYNTHESIS IMAGING DETECTOR	9/27/17	4/17/18	9943707	Accuray Incorporated
IMAGE-BASED APERTURE VERIFICATION SYSTEM FOR MULTI-LEAF COLLIMATOR	1/27/16	4/17/18	9950193	Accuray Incorporated
VERIFICATION OF LEAF POSITIONS FOR MULTI-LEAF COLLIMATOR USING MULTIPLE VERIFICATION SYSTEMS	1/27/16	4/17/18	9943705	Accuray Incorporated

UNITED STATES PATENT APPLICATIONS

Patent Application Description	U.S. Patent Application No.	Date Applied	Status	Owner
TREATMENT COUCH WITH LOCALIZATION ARRAY	15875966	January 19, 2018	Pending	Accuray Incorporated
LOCALIZATION ARRAY POSITION IN TREATMENT ROOM COORDINATE SYSTEM	15875975	January 19, 2018	Pending	Accuray Incorporated

Patent Application Description	U.S. Patent Application No.	Date Applied	Status	Owner
GANTRY IMAGE GUIDED RADIOTHERAPY SYSTEM AND RELATED TREATMENT DELIVERY METHODS	15875683	January 19, 2018	Pending	Accuray Incorporated
GANTRY IMAGE GUIDED RADIOTHERAPY SYSTEM AND RELATED TREATMENT DELIVERY METHODS	15927843	March 21, 2018	Pending	Accuray Incorporated
VERIFICATION OF LEAF POSITIONS FOR MULTI-LEAF COLLIMATOR USING MULTIPLE VERIFICATION SYSTEMS	15916068	March 8, 2018	Pending	Accuray Incorporated
LOW-DOSE XRAY IMAGING METHOD FOR TARGET MOTION DETECTION IN QUASI-STATIC TRACKING MODES	15870207	January 12, 2018	Pending	Accuray Incorporated
LIMITING IMAGING RADIATION DOSE AND IMPROVING IMAGE QUALITY DURING TREATMENT DELIVERY	15922688	March 15, 2018	Pending	Accuray Incorporated
IMAGE REGISTRATION OF TREATMENT PLANNING IMAGE, INTRAFACTION 3D IMAGE, AND	15862438	January 4, 2018	Pending	Accuray Incorporated

Patent Application Description	U.S. Patent Application No.	Date Applied	Status	Owner
INTRAFACTION 2D X-RAY IMAGE				
PARTIAL VIEW INTERFACTION TREATMENT TARGET MOTION MANAGEMENT USING VOLUMETRIC IMAGING	15862449	January 4, 2018	Pending	Accuray Incorporated
NO-VIEW INTERFACTION TREATMENT TARGET MOTION MANAGEMENT USING VOLUMETRIC IMAGING	15862461	January 4, 2018	Pending	Accuray Incorporated
COORDINATED MOTION OF A ROTATING 2D X- RAY IMAGER AND A LINEAR ACCELERATOR	15862477	January 4, 2018	Pending	Accuray Incorporated
USING A ROTATING 2D X- RAY IMAGER AS AN IMAGING DEVICE TO PERFORM TARGET TRACKING DURING RADIATION TREATMENT DELIVERY	15862497	January 4, 2018	Pending	Accuray Incorporated
SEQUENTIAL MONOSCOPIC TRACKING	15945580	April 4, 2018	Pending	Accuray Incorporated