



D \$

05-15-2001

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings



101716837

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

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

1. Name of conveying party(ies): Bank One, NA 910 Travis Houston, TX 77002 Association

2. Name and address of receiving party(ies) Name: Tanknology/NDE Corporation Internal Address: Bldg. Street Address: 8900 Shoal Creek Blvd. 200 City: Austin State: TX Zip: 78757

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

3. Nature of conveyance: Other Release of Security Interest Execution Date: April 6, 2001

Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Delaware Other If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

4. Application number(s) or registration number(s): A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1,565,593 1,543,075 1,713,295 1,702,652 1,890,268 1,970,300

Additional number(s) attached Yes No

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

Name: Crystal A. Gothard Internal Address: Street Address: Patton Boggs LLP 2550 M Street, NW City: Washington State: DC Zip: 20037

6. Total number of applications and registrations involved: 6

7. Total fee (37 CFR 3.41): \$ 165.00 Enclosed Authorized to be charged to deposit account

8. Deposit account number: 50-0709

(Attach duplicate copy of this page if paying by deposit account)

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.

George M. Borababy Name of Person Signing

Signature

5/16/01 Date

Total number of pages including cover sheet, attachments, and document: 9

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

CONTINUATION SHEET

Question 1

Bank One, Texas, N.A.  
910 Travis  
Houston, TX 77002



**RELEASE OF SECURITY INTEREST IN MARKS**

**THIS RELEASE OF SECURITY INTEREST IN MARKS** is made this 6<sup>th</sup> day of April 2001, by Bank One, NA, formerly known as Bank One, Texas, N.A., a national banking association, with an office located at 910 Travis, Houston, Texas 77002 ("Bank One").

**WHEREAS**, reference is made to that certain Assignment for Security dated October 25, 1996 ("Assignment") a copy of which is attached hereto as Exhibit A, by and between Tanknology/NDE Corporation, a Delaware corporation, with its principal office at 8900 Shoal Creek Blvd., Bldg. 200, Austin, Texas 78757 ("Borrower") and Bank One.

**WHEREAS**, in connection with the Assignment, the Borrower has granted Bank One a continuing security interest in certain Marks (as defined in the Assignment).

**NOW THEREFORE**, for good and valuable consideration, Bank One hereby releases and terminates all its security interest in and to the Marks identified in Exhibit A attached hereto.

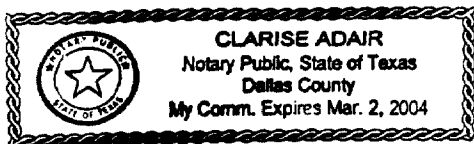
**IN WITNESS WHEREOF**, Bank One has caused this Release of Security Interest in Marks to be duly executed by its duly authorized officer as of the day and year first above written.

BANK ONE, NA,  
formerly known as Bank One, Texas,  
N.A.  
By Carl Shafer, Vice President  
Carl Shafer  
Vice President

**ACKNOWLEDGMENT**

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on the 6<sup>th</sup> day of April 2001, by Carl Shafer, Vice President of Bank One, NA, formerly known as Bank One, Texas, N.A., a national banking association, on behalf of said banking association.



Clarise Adair  
Notary Public  
State of Texas

EXHIBIT A

ASSIGNMENT FOR SECURITY

WHEREAS, Tanknology/NDE Corporation, a corporation formed under the laws of Delaware, located at 8900 Shoal Creek Blvd., Bldg. 200, Austin, Texas 78757, (the "Borrower"), has adopted, used and is using the marks set out in Schedule "A" (the "Marks", which are registered in the United States Patent and Trademark Office and/or for which applications are pending; and

WHEREAS, Borrower is obligated to Bank One, Texas, N.A. ("Bank"), a national banking association located at 910 Travis, Houston, Texas 77002, pursuant to (i) a certain Loan Agreement dated the date hereof, between Bank and Borrower; (ii) a certain secured promissory note dated the date hereof, made by Borrower in favor of Bank; and (iii) a certain Security Agreement dated the date hereof, between Bank and Borrower (the "Agreements"); and

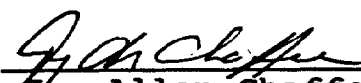
WHEREAS, pursuant to the Agreements, Borrower is granting to Bank a security interest, inter alia, in the Marks, the goodwill of the business symbolized by the Marks and the registrations and pending applications therefor;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Borrower does hereby assign unto Bank and grant to Bank a security interest in and to the Marks together with the goodwill of the business symbolized by the Marks and the registrations and pending applications therefor, which assignment and security interest shall secure all the Obligations as defined in the Agreements and in accordance with the terms and provisions thereof.

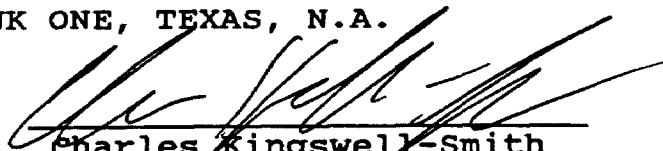
Borrower and Bank expressly affirm that the rights and remedies of Borrower and Bank with respect to the assignment and security interest granted hereby are more fully set forth in the Agreement.

Dated: October 25, 1996

TANKNOLOGY/NDE CORPORATION

By:   
Jay Allen Chaffee  
Chairman of the Board

BANK ONE, TEXAS, N.A.

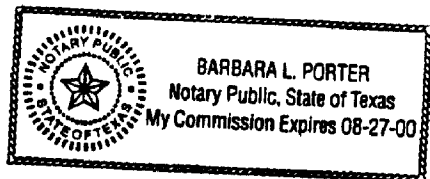
By:   
Charles Kingswell-Smith  
Vice President

State of Texas  
County of Harris

§  
§  
§

Before me on the 24<sup>th</sup> day of October, 1996, personally appeared Jay Allen Chaffee, known to me to be the person and corporate officer whose name is subscribed to the foregoing instrument and acknowledged to me that the instrument was the act of Tanknology/NDE Corporation, a corporation, and that he executed the instrument as the act of the corporation on behalf of the corporation for the purposes and consideration expressed, and in the capacity stated in the instrument.

Barbara L. Porter  
Printed Name: BARBARA L. PORTER  
Notary Public, State of Texas  
My Commission Expires: 8-27-2000

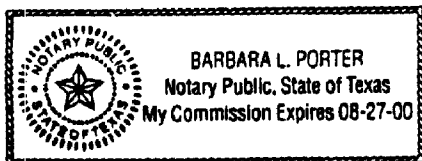


State of Texas  
County of Harris

§  
§  
§

Before me on the 24<sup>th</sup> day of October, 1996, personally appeared Charles Kingswell-Smith, known to me to be the person and corporate officer whose name is subscribed to the foregoing instrument and acknowledged to me that the instrument was the act of Bank One, Texas, N.A. a national banking association, and that he executed the instrument as the act of the corporation on behalf of the corporation for the purposes and consideration expressed, and in the capacity stated in the instrument.

Barbara L. Porter  
Printed Name: BARBARA L. PORTER  
Notary Public, State of Texas  
My Commission Expires: 8-27-2000



**SCHEDULE "A" TO ASSIGNMENT FOR SECURITY**

**Registered Marks:**

US Reg. No. 1,565,593	TANKNOLOGY®	(Cl: 9 & 37)
US Reg. No. 1,543,075	VACUTECT®	(Cl: 42)
US Reg. No. 1,713,295	VACUTECT®	(Cl: 9)
US Reg. No. 1,702,652	VACUTEST®	(Cl: 42)
US Reg. No. 1,890,268	TANKNOLOGY and Design®	(Cl: 9 & 37)
US Reg. No. 1,970,300	SIRPLUS®	(Cl: 35)

**Unregistered Marks:**

PETROSCOPE™

STIK-STOP™

VAPORTECT™