

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
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NATURE OF CONVEYANCE:	Termination
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**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
The Royal Bank of Scotland plc		04/22/2005	Public Limited Company:

**RECEIVING PARTY DATA**

Name:	Aviagen Inc.
Street Address:	5015 Bradford Drive
City:	Huntsville
State/Country:	ALABAMA
Postal Code:	35805
Entity Type:	CORPORATION:

**PROPERTY NUMBERS Total: 8**

Property Type	Number	Word Mark
Serial Number:	76468695	FLOCK TRACKING SYSTEM
Serial Number:	76468692	FTS
Registration Number:	2694850	AVIAGEN
Registration Number:	2697241	AVIAGEN
Registration Number:	2099855	FSY
Registration Number:	708576	ARBOR ACRES
Registration Number:	713316	ARBOR ACRES AA
Registration Number:	789260	HARCO

**CORRESPONDENCE DATA**

Fax Number: (212)610-6399  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Email: grace.wang@allenoverly.com  
 Correspondent Name: Grace Wang  
 Address Line 1: 1221 Avenue of the Americas  
 Address Line 2: Allen & Overy LLP

OP \$215.00 76468695

Address Line 4: New York, NEW YORK 10020

NAME OF SUBMITTER:

Grace Wang

Signature:

/Grace Wang/

Date:

05/03/2005

Total Attachments: 4

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**EXECUTION COPY**

**RELEASE OF SECURITY INTEREST**

This RELEASE OF SECURITY INTEREST is dated and effective as of the 22 day of April, 2005, and is made by The Royal Bank of Scotland plc, a corporation with a principal place of business at 135 Bishopsgate, London, England EC2M 3UR ("Grantee"), in favor of Aviagen Inc., a Delaware corporation with a principal place of business at 5015 Bradford Drive, Huntsville, Alabama 35805, U.S.A. ("Grantor").

**W I T N E S S E T H:**

WHEREAS, on or about May 30, 2003, Grantor granted to Grantee a lien on and security interest in the general intangibles of Grantor, including Grantor's trademarks and patents as listed in Exhibit A, and certain related rights, interests and assets; and

WHEREAS, the aforementioned security interest was reflected in the duly executed Security Agreement dated 30<sup>th</sup> May, 2003 (the "Security Agreement") between the Grantor and the Grantee which was recorded on June 10, 2003 at Reel No. 002754, Frame No. 0226 and Reel No. 014162, Frame No. 0097 of the records of the Assignment Division of the United States Patent and Trademark Office; and

WHEREAS, for good and valuable consideration, Grantee has agreed to release the aforementioned security interest,

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

UK/145571/01

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**TRADEMARK  
REEL: 003077 FRAME: 0568**

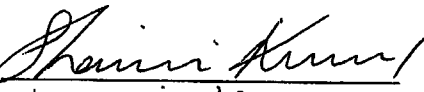
**EXECUTION COPY**

Grantee hereby cancels and terminates the Security Agreement and hereby releases its lien on and security interest in the intellectual property rights and interests identified and described in the Security Agreement which rights and interests specifically include, without limitation, the trademarks, trademark registrations, applications for trademark registration, patents, patent registrations and applications for patent registration set forth in Exhibit A attached hereto.

IN WITNESS WHEREOF, this Release of Security Interest is effective the date and year above first written.

THE ROYAL BANK OF SCOTLAND PLC

Dated: April 22, 2005

By:   
Name: Sharmini Kumar  
Title: Manager - Attorney in fact.

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EXHIBIT A

List of the registrations of the trademarks and patents,  
whether currently used or not, which are owned by  
AVIAGEN INC.  
(legal owner)

U.S. TRADEMARKS						
Mark	Reg. No. or Serial No.	Int'l Class	Reg. Date or Filing Date	Status	Owner of Record	
FLOCK TRACKING SYSTEM & Design	76/468,695	009	Filed Nov. 20, 2002	Pending	Aviagen Inc.	
FTS & Design	76/468,692	009	Filed Nov. 20, 2002	Pending	Aviagen Inc.	
AVIAGEN	2,694,850	031	Reg. March 11, 2003	Section 8/15 due: March 11, 2009 Renewal date: March 11, 2013	Aviagen Inc.	
AVIAGEN & Design	2,697,241	031	Reg. March 18, 2003	Section 8/15 due: March 18, 2009 Renewal date: March 18, 2013	Aviagen Inc.	
FSY	2,099,855	031	Reg. Sept. 23, 1997	Cancelled	Aviagen Inc.	
ARBOR ACRES (Stylized)	708,576	031	Reg. Dec. 20, 1960	Renewal date: Dec 20, 2010	Aviagen Inc.	

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U.S. TRADEMARKS					
Mark	Reg. No. or Serial No.	Int'l Class	Reg. Date or Filing Date	Status	Owner of Record
ARBOR ACRES AA & Design	713,316	031	Reg. Date April 4, 1961	Renewal date April 4, 2011	Aviagen Inc.
HARCO & Design	789,260	031	Reg. Date May 11, 1965	Renewal date May 11, 2005	Aviagen Inc.

U.S. ISSUED PATENTS					
Title	Filing Date	Issue Date	U.S. Patent No.	Status	Owner of Record
Method for the microaerosol fumigation of newly hatched poultry	Sept. 29, 1992	Feb. 9, 1999	5,868,998	Expired on February 10, 2003 due to failure to pay a maintenance fee. Revivable for up to one year if the failure to pay the fee was unintentional and revivable for an additional year or more after that first anniversary if the abandonment was unavoidable	Aviagen Inc.

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