

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM472231

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Pacific Western Bank	FORMERLY CapitalSource Bank	04/30/2018	Chartered Bank: CALIFORNIA
RECEIVING PARTY DATA			
Name:	Ares Capital Corporation, as Agent		
Street Address:	245 Park Avenue, 44th Floor		
City:	New York		
State/Country:	NEW YORK		
Postal Code:	10167		
Entity Type:	Corporation: MARYLAND		
PROPERTY NUMBERS Total: 17			
Property Type	Number	Word Mark	
Registration Number:	4019328	EMPIRIX	
Registration Number:	3058740	EMPIRIX	
Registration Number:	4393219	EMPIRIX	
Registration Number:	3880596	HAMMER EDGE	
Registration Number:	4237430		
Registration Number:	2770123	HAMMER ON-CALL	
Registration Number:	2088739	HAMMER TECHNOLOGIES	
Registration Number:	2860709	ONESIGHT	
Registration Number:	2823871	VOICE WATCH	
Registration Number:	4769323	INTELLISIGHT	
Registration Number:	4594244	INTELLISIGHT	
Serial Number:	86893107		
Serial Number:	86893155	INTELLISIGHT	
Serial Number:	86893248	HAMMER	
Serial Number:	86893270		
Serial Number:	86893315	HAMMER	
Serial Number:	85967868	HOLISTIX	
CORRESPONDENCE DATA			
TRADEMARK			

CH \$440.00 4019328

Fax Number: 3125774565

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.

Phone: 312-577-8265

Email: kristin.brozovic@kattenlaw.com

Correspondent Name: Kristin Brozovic c/o Katten

Address Line 1: 525 W Monroe St

Address Line 4: Chicago, ILLINOIS 60661

ATTORNEY DOCKET NUMBER:	337285-84
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NAME OF SUBMITTER:	Kristin Brozovic
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SIGNATURE:	/Kristin Brozovic/
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DATE SIGNED:	05/02/2018
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Total Attachments: 10

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**ASSIGNMENT OF INTELLECTUAL PROPERTY
SECURITY AGREEMENT**

This **ASSIGNMENT OF INTELLECTUAL PROPERTY SECURITY AGREEMENT** (this “**Assignment**”), dated as of April 30, 2018, is by **PACIFIC WESTERN BANK**, a California state-chartered bank (individually, “**PacWest**”), acting in its capacity as the current and resigning administrative agent and/or collateral agent (in such capacities, the “**Resigning Agent**”) and **ARES CAPITAL CORPORATION** (individually, “**Ares**”), acting in its capacity as the successor administrative agent (in such capacity, the “**Successor Agent**”).

RECITALS:

WHEREAS, Empirix Inc., as “**Grantor**”, and Resigning Agent are parties to those certain intellectual property security agreements identified in Exhibit A attached hereto (as the same have been and may hereafter be amended, restated, amended and restated, supplemented or otherwise modified from time to time, collectively, the “**Agreements**”) in connection with certain intellectual property set forth on Exhibit B hereto; and

WHEREAS, pursuant to that certain Resignation of Agent and Appointment of Successor Agent, dated as of the date hereof (the “**Resignation Agreement**”), by and among Empirix Inc., as Borrower, PacWest, as the Resigning Agent, and Ares, as Successor Agent, Resigning Agent has assigned to Successor Agent all of its rights, remedies, duties and other obligations under, among other documents, the Agreements, in each instance, in its capacity as administrative agent and, if applicable, collateral agent.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Resigning Agent, without recourse, representation or warranty (except for the representations made in Section 4(b) of the Resignation Agreement), hereby assigns and transfers to Successor Agent and its successors and assigns, all of its rights, title and interest in and to the Agreements.

This Assignment may be executed in any number of counterparts, each of which when so executed shall be deemed an original and all of which taken together shall constitute one and the same instrument.

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IN WITNESS WHEREOF, Resigning Agent and Successor Collateral Agent have caused this Assignment to be duly executed as of the date first above written.

RESIGNING AGENT:

PACIFIC WESTERN BANK

By: 

Name: David Zimmerman

Title: Senior Vice President

SUCCESSOR AGENT:

ARES CAPITAL CORPORATION

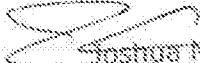
By: 
Name: Joshua M. Bloomstein
Title: Authorized Signatory

EXHIBIT A

Copyright Security Agreement dated as of November 1, 2013 and filed with the United States Copyright Office on January 29, 2014 in Volume 9907, Document 380.

Patent Security Agreement dated as of November 1, 2013 and filed with the United States Patent and Trademark Office on November 1, 2013 at Reel 031532, Frame 0806.

Trademark Security Agreement dated as of November 1, 2013 and filed with the United States Patent and Trademark Office on November 1, 2013 at Reel 5154, Frame 0150.

Patent Security Agreement dated as of April 27, 2017 and filed with the United States Patent and Trademark Office on April 27, 2017 at Reel 042170, Frame 0584.

Trademark Security Agreement dated as of April 27, 2017 and filed with the United States Patent and Trademark Office on April 27, 2017 at Reel 6044, Frame 0107.

EXHIBIT B

Current Owner of Record	Title	Registration No.	Registration Date
Empirix, Inc.	Call master v. 3.1.	TX0005718773	3/10/2003
Empirix, Inc.	Call Master : version 4.0	TX0005922948	2/24/2004
Empirix, Inc.	e-Manager enterprise v.2.6.	TX0005955995	3/15/2004
Empirix, Inc.	eTest suite v.6.61.	TX0005723979	2/6/2003
Empirix, Inc.	eTest suite v.6.71.	TX0005776326	6/6/2003
Empirix, Inc.	eTest suite v.6.82.	TX0005955994	3/15/2004
Empirix, Inc.	eTest Suite : version 6.8.	TX0005922950	2/24/2004
Empirix, Inc.	OneSight v. 4.5.	TX0005718774	3/10/2003
Empirix, Inc.	OneSight V. 4.61.	TX0005735209	4/9/2003
Empirix, Inc.	OneSight : v. 4.70.	TX0005870549	10/22/2003
Empirix, Inc.	Holistix : version 1.0.	TX0005166388	4/27/2000



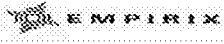


Owner	Patent	Jurisdiction	Application No./ Filing Date	Patent No./ Issue Date
N/A	System and method for identifying problems on a network	U.S.	13/929529 7/11/2013	—
N/A	Methods and apparatus providing call quality testing	U.S.	10/880300 6/29/2004	—
Empirix Inc.	Method of embedding configuration data in a non-configuration document	U.S.	13/363754 2/1/2012	—
Empirix Inc.	Systems and methods for network monitoring and testing using a generic data mediation platform	U.S.	13/554964 7/20/2012	—

Owner	Patent	Jurisdiction	Application No./ Filing Date	Patent No./ Issue Date
Empirix Inc.	Systems and methods for network monitoring and testing using intelligent sequencing	U.S.	13/554944 7/20/2012	—
Empirix Inc.	Systems and methods for network monitoring and testing using self-adaptive triggers based on KPI values	U.S.	13/554925 7/20/2012	—
Empirix Inc.	Systems and methods for network monitoring and testing using dimension value based KPIs	U.S.	13/554924 7/20/2012	—
Empirix Inc.	Method For Embedding Meta-Commands in Normal Network Packets	U.S.	12/762270 4/16/2010	—
Empirix Inc.	Method for Embedding Meta-Commands in Normal Network Packets	U.S.	13/529789 6/21/2012	—
Empirix Inc.	Voice Quality Probe for Communication Networks	U.S.	13/016650 1/28/2011	—
Empirix Inc.	Method For Determining A Quality Of User Experience While Performing Activities in IP Networks	U.S.	12/762240 4/16/2010	—
Empirix Inc.	Method For Modeling User Behavior In IP Networks	U.S.	12/762264 4/16/2010	—
Empirix Inc.	Table driven event processing of multiple stateful protocols in a high performance network stack framework	U.S.	12/247682 10/8/2008	8463925 6/11/2013

Owner	Patent	Jurisdiction	Application No./ Filing Date	Patent No./ Issue Date
Empirix Inc.	System and method for enabling network stack processes in user mode and kernel mode to access kernel memory locations	U.S.	12/246742 10/7/2008	7937449 5/3/2011
Empirix Inc.	Testing using asynchronous automated virtual agent behavior	U.S.	11/157015 6/20/2005	7822803 10/26/2010
Empirix Inc.	Dynamic voice over internet protocol endpoint mapping	U.S.	11/265379 11/2/2005	7773582 8/10/2010
Empirix Inc.	Method of generating test scripts using a voice-capable markup language	U.S.	10/431084 5/7/2003	7590542 9/15/2009
Empirix Inc.	Network loopback using a virtual address	U.S.	10/978662 11/1/2004	7505418 3/17/2009
Empirix Inc.	System and method for testing signals within digital-network packets	U.S.	10/766293 1/28/2004	7447158 11/4/2008
Empirix Inc.	Multi-interface telephony test system using separate interface cards	U.S.	09/981001 10/17/2001	7068756 6/27/2006
Empirix Inc.	Run-time graphical programming tool for testing non-deterministic events	U.S.	09/943640 8/30/2001	6957420 10/18/2005
Empirix Inc.	Multimedia synchronization system	U.S.	10/099819 3/15/2002	6944799 9/13/2005
Empirix Inc.	Analyzing an extended finite state machine system model	U.S.	09/318286 5/25/1999	6853963 2/8/2005
Empirix Inc.	Analyzing an extended finite state machine system model	U.S.	09/318204 5/25/1999	6694290 2/17/2004

Owner	Patent	Jurisdiction	Application No./ Filing Date	Patent No./ Issue Date
Empirix Inc.	Automatic validation of recognized dynamic audio data from data provider system using an independent data source	U.S.	09/814576 3/22/2001	6604074 8/5/2003
Empirix Inc.	Telecommunication system tester with integrated voice and data	U.S.	09/185040 11/3/1998	6091802 7/18/2000
Empirix Inc.	Telecommunication system tester with integrated voice and data	U.S.	08/808820 2/28/1997	5835565 11/10/1998
Empirix Inc.	System and method of transmitting speech at low line rates	U.S.	08/987412 12/9/1997	6219641 4/17/2001
Empirix Inc.	Telecommunication system tester with voice recognition capability	U.S.	08/321357 10/11/1994	5572570 11/5/2996
Empirix Inc.	METHOD AND APPARATUS TO DETERMINE NETWORK QUALITY	U.S.	14/716,220 05/19/2015	20160344606
Empirix Inc.	METHOD AND APPARATUS TO DETERMINE A WIRELESS NETWORK COVERAGE AND RESPONSIVENESS	U.S.	14/178,826 02/12/2014	20150230109
Empirix Inc.	METHOD AND APPARATUS TO DETERMINE NETWORK QUALITY	U.S.	WO2016/187449 05/19/2016	PCT/US16/33316

Owner	Trademark	Jurisdiction	Application No./ Filing Date	Reg. No./ Reg. Date
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Owner	Trademark	Jurisdiction	Application No./ Filing Date	Reg. No./ Reg. Date
Empirix Italy S.p.a.	IPXPLORER (Stylized) 	U.S. International Registration	79/048627 12/6/2007	Intl. 0949840 12/6/2007 US 3595026 3/24/2009
Empirix Inc. Mass. corp.	EMPIRIX and Design 	State of Massachusetts	—	61363 4/3/2002
Empirix Inc. Mass. corp.	EMPIRIX	U.S.	85/235761 2/7/2011	4019328 8/30/2011
Empirix, Inc.	EMPIRIX	U.S.	78/431041 6/7/2004	3058740 2/14/2006
Empirix Inc. Mass. corp.	EMPIRIX and Design 	U.S.	85/553842 2/27/2012	4393219 8/27/2013
Empirix, Inc.	HAMMER EDGE	U.S.	77/658027 1/28/2009	3880596 11/23/2010
Empirix, Inc.	Hammer Head Design 	U.S.	85/586923 4/2/2012	4237430 11/6/2012
Empirix, Inc.	HAMMER ON-CALL	U.S.	76/402012 5/1/2002	2770123 9/30/2003
Empirix, Inc.	HAMMER TECHNOLOGIES and Design 	U.S.	75/048609 1/25/1996	2088739 8/19/1997
Empirix Inc.	ONESIGHT	U.S.	76/311985 9/6/2001	2860709 7/6/2004
Empirix, Inc.	VOICE WATCH	U.S.	76/388167 3/27/2002	2823871 3/16/2004
Empirix, Inc.	INTELLISIGHT	U.S.		4769323 07/07/15

Owner	Trademark	Jurisdiction	Application No./ Filing Date	Reg. No./ Reg. Date
Empirix, Inc.	INTELLISIGHT	U.S.		4594244 08/26/14
Empirix Inc.	<i>Design Only</i>	U.S.	86893107 02/01/16	
Empirix Inc.	INTELLISIGHT	U.S.	86893155 02/01/16	
Empirix Inc.	HAMMER	U.S.	86893248 02/01/16	
Empirix Inc.	<i>Design Only</i>	U.S.	86893270 02/01/16	
Empirix Inc.	HAMMER	U.S.	86893315 02/01/16	
Empirix Inc.	HOLISTIX	U.S.	85967868 06/24/13	