

11-18-1999

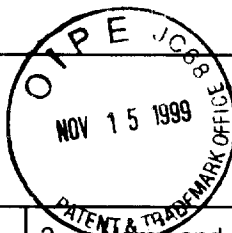
FORM PTO-1594  
1-31-92

101203129

set

U.S. Department of Commerce  
Patent and Trademark Office  
Attorney Docket No. 5976.0061

MRD 11/15/99

To the Honorable Commissioner of Patents and Trademarks:  
Please record the attached Assignment.

ATTN. BOX ASSIGNMENTS

1. Name of conveying parties:

InfoBeat, Inc.

Additional name(s) of conveying parties attached?

☐ Yes ☒ No

2. Name and address of receiving party:

Name: Exactis.com, Inc.

Street Address: 707 17th Street  
Suite 2850  
Denver, CO 80202

Additional name(s) of conveying party attached?

☐ Yes ☒ No

3. Nature of conveyance:

☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other

Execution Date: January 22, 1999

4. Application number or registration number: 5,793,497

Additional numbers attached? ☐ Yes ☒ No

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

Name: FINNEGAN, HENDERSON, FARABOW, GARRETT &amp; DUNNER, L.L.P.

Internal Address:  
Street Address: 1300 I Street, N.W.  
City: Washington  
State: DC Zip: 20005-3315

6. Total number of patents involved: 1

7. Total fee (37 CFR § 3.41): \$40

☒ Enclosed (Please charge deficiency to deposit account)  
☐ Authorized to be charged to deposit account

8. Deposit account number: 06-0916

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.

  
Timothy M. Hsieh, Registration No. 42,672  
Date

Total number of pages including cover sheet, attachments and documents: 4

11/17/1999 BNUYEN 00000274 5793497

01 FC:581

40.00 DP

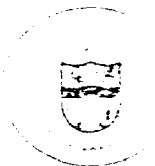
PATENT  
REEL: 010377 FRAME: 0374

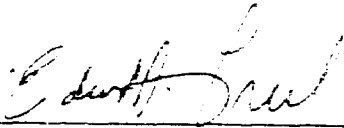
Office of the Secretary of State

---

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "INFOBEAT INC.", CHANGING ITS NAME FROM "INFOBEAT INC." TO "EXACTIS.COM, INC.", FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF JANUARY, A.D. 1999, AT 4:35 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



  
Edward J. Freel, Secretary of State

2644661 8100

AUTHENTICATION

9540586

991028968

DATE

01-26-99

PATENT

REEL: 010377 FRAME: 0375

**CERTIFICATE OF AMENDMENT  
TO THE  
RESTATED CERTIFICATE OF INCORPORATION, AS AMENDED,  
OF INFOBEAT INC.**

InfoBeat Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware. DOES HEREBY CERTIFY:

FIRST: The original name of the corporation was Mercury Mail, Inc., and its current name is InfoBeat Inc. (the "**Corporation**" or the "**Company**").

SECOND: The date on which the Certificate of Incorporation of the corporation was originally filed with the Secretary of State of the State of Delaware was July 17, 1996.

THIRD: The Board of Directors of the corporation, acting in accordance with the provisions of Sections 141(f) and 242 of the General Corporation Law of the State of Delaware, adopted a resolution to amend Article I to read in its entirety as follows:

**"I**


The name of this corporation is Exactis.com, Inc."

FOURTH: The foregoing Certificate of Amendment has been duly adopted by the directors and stockholders of the corporation for their approval in accordance with the provisions of Sections 141, 228 and 242 of the General Corporation Law of the State of Delaware, and notice of such adoption has been provided in accordance with said Section 228.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, InfoBeat Inc. has caused this Certificate of Amendment to be signed by its duly authorized officer this 22<sup>nd</sup> day of January, 1999.

INFOBEAT INC.

By   
Tom Detmer  
President and Chief Executive Officer