

FORM PTO-1619A

OMB 0651-0027

05-25-2000



101367519

RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. Department of Commerce
Patent and Trademark Office

PATENT

4-4-00

TO: The Commissioner of Patents and Trademarks : Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non- Recordation)
- Document ID # _____
- ☐ Correction of PTO Error
- Reel # _____ Frame # _____
- ☐ Corrective Document
- Reel # _____ Frame # _____

Conveyance Type

- ☐ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☒ Merger ☐ Other _____

U.S. Government

(For Use ONLY by U.S. Government Agencies)

☐ Departmental File ☐ Secret File

Attorney Docket No: 02114.P013

Conveying Party (ies)

☐ Mark if additional names of conveying parties attachedExecution Date
Month Day Year

Name (1st party) ProTools, Inc.

03 29 1996

Name (2nd party) Progressive Computing, Inc.

03 29 1996

Name (3rd party) _____

Name (4th party) _____

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Network General Corporation

Name (line 2) a corporation of Delaware

Address (line 1) 4200 Bohannon Drive

Address (line 2) _____

Address (line 3) Menlo Park

CA

94025

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

(Complete only if receiving party is not domiciled in the United States)

Enter for the first Receiving Party only.

Name _____

Address (line 1) _____

Address (line 2) _____

Address (line 3) _____

Address (line 4) _____

FOR OFFICE USE ONLY

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PATENT

REEL: 010795 FRAME: 0974

PATENT

Correspondent Name and Address

Area Code and Telephone Number 408 720 8300

Name James H. Salter

Address (line 1) Blakely, Sokoloff, Taylor & Zafman LLP

Address (line 2) 12400 Wilshire Boulevard

Address (line 3) Seventh Floor

Address (line 4) Los Angeles, CA 90025

Pages

Enter the total number of pages of the attached conveyance document.

5

Application Number (s) or Patent Number (s)

☐

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number (s)

Patent Number (s)

5,414,712

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT _____ PCT _____ PCT _____
PCT _____ PCT _____ PCT _____

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:
Deposit Account

Enclosed ☒

Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # 02-2666

Authorization to charge additional fees:

Yes ☒

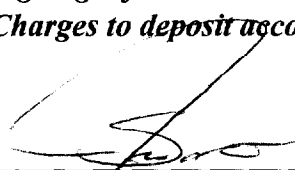
No ☐

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. Charges to deposit account are authorized, as indicated herein.

James H. Salter

35,668



3/30/20

Name of Person Signing

Registration No.

Signature

Date

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231



State of Illinois
Office of
The Secretary of State

Whereas,

ARTICLES OF MERGER OF
PROTOOLS, INC.

INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE HAVE BEEN
FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE
BUSINESS CORPORATION ACT OF ILLINOIS, IN FORCE JULY 1, A.D. 1984.

Now Therefore, I, George H. Ryan, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this certificate and attach hereto a copy of the Application of the aforesaid corporation.

In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, at the City of Springfield, this 29TH day of MARCH A.D. 19 96 and of the Independence of the United States the two hundred and 20TH .



George H. Ryan

Secretary of State

Form **BCA-11.25**

(Rev. Jan. 1995)

George H. Ryan
Secretary of State
Department of Business Services
Springfield, IL 62756
Telephone (217) 782-6961

DO NOT SEND CASH!
Remit payment in check or money
order, payable to "Secretary of State."
Filing Fee is \$100, but if merger or
consolidation of more than 2 corpo-
rations, \$50 for each additional cor-
poration.

**ARTICLES OF MERGER
CONSOLIDATION OR EXCHANGE**File # **5372-850-2****SUBMIT IN DUPLICATE**This space for use by
Secretary of StateDate **3/29/96**Filing Fee \$ **100.00**Approved: **FILED**

MAR 29 1996

**GEORGE H. RYAN
SECRETARY OF STATE**

1. Names of the corporations proposing to ~~consolidate~~ ^{merge} ~~exchange shares~~, and the state or country of their incorporation:

Name of Corporation	State or Country Of Incorporation	Corporation File No.
ProTools, Inc.	Delaware	5878-567-9
Progressive Computing, Inc.	Illinois	5372-850-2

2. The laws of the state or country under which each corporation is incorporated permit such merger, consolidation or exchange.

Yes.

3. (a) Name of the ~~new~~ ^{surviving} corporation: ProTools, Inc.
~~acquiring~~
- (b) it shall be governed by the laws of: Delaware

4. Plan of ~~consolidation~~ ^{merger} ~~exchange~~ is as follows: See Attachment for this information.

If not sufficient space to cover this point, add one or more sheets of this size.

EXPEDITED

MAR 29 1996

SECRETARY OF STATE**PATENT****REEL: 010795 FRAME: 0977**

- merger
5. Plan of consolidation was approved, as to each corporation not organized in Illinois, in compliance with the exchange laws of the state under which it is organized, and (b) as to each Illinois corporation, as follows:

(The following items are not applicable to mergers under §11.30 —90% owned subsidiary provisions. See Article 7.)

(Only "X" one box for each corporation)

By the shareholders, a resolution of the board of directors having been duly adopted and submitted to a vote at a meeting of shareholders. Not less than the minimum number of votes required by statute and by the articles of incorporation voted in favor of the action taken.

(§ 11.20)

By written consent of the shareholders having not less than the minimum number of votes required by statute and by the articles of incorporation. Shareholders who have not consented in writing have been given notice in accordance with § 7.10 (§ 11.220)

By written consent of ALL the shareholders entitled to vote on the action, in accordance with § 7.10 & § 11.20

Name of Corporation

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. *(Not applicable if surviving, new or acquiring corporation is an Illinois corporation)*

It is agreed that, upon and after the issuance of a certificate of merger, consolidation or exchange by the Secretary of State of the State of Illinois:

- The surviving, new or acquiring corporation may be served with process in the State of Illinois in any proceeding for the enforcement of any obligation of any corporation organized under the laws of the State of Illinois which is a party to the merger, consolidation or exchange and in any proceeding for the enforcement of the rights of a dissenting shareholder of any such corporation organized under the laws of the State of Illinois against the surviving, new or acquiring corporation.
- The Secretary of State of the State of Illinois shall be and hereby is irrevocably appointed as the agent of the surviving, new or acquiring corporation to accept service of process in any such proceedings, and
- The surviving, new, or acquiring corporation will promptly pay to the dissenting shareholders of any corporation organized under the laws of the State of Illinois which is a party to the merger, consolidation or exchange the amount, if any, to which they shall be entitled under the provisions of "The Business Corporation Act of 1983" of the State of Illinois with respect to the rights of dissenting shareholders.

7. (Complete this item if reporting a merger under § 11.30—90% owned subsidiary provisions.)

- a. The number of outstanding shares of each class of each merging subsidiary corporation and the number of such shares of each class owned immediately prior to the adoption of the plan of merger by the parent corporation, are:

Name of Corporation	Total Number of Shares Outstanding of Each Class	Number of Shares of Each Class Owned Immediately Prior to Merger by the Parent Corporation
ProTools, Inc.	1,000 (Common, \$0.001 par value)	1,000
Progressive Computing, Inc.	1,000 (Common, no par value)	1,000

- b. (Not applicable to 100% owned subsidiaries)

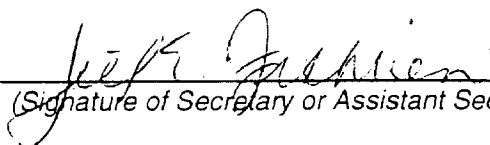
The date of mailing a copy of the plan of merger and notice of the right to dissent to the shareholders of each merging subsidiary corporation was _____, 19 ____.

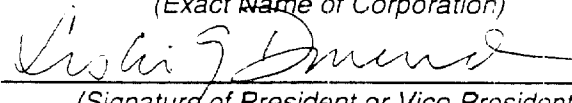
Was written consent for the merger or written waiver of the 30-day period by the holders of all the outstanding shares of all subsidiary corporations received? ☐ Yes ☐ No

(If the answer is "No," the duplicate copies of the Articles of Merger may not be delivered to the Secretary of State until after 30 days following the mailing of a copy of the plan of merger and of the notice of the right to dissent to the shareholders of each merging subsidiary corporation.)

8. The undersigned corporations have caused these articles to be signed by their duly authorized officers, each of whom affirms, under penalties of perjury, that the facts stated herein are true. (All signatures must be in **BLACK INK**.)

Dated March 22, 19 96

attested by 
(Signature of Secretary or Assistant Secretary)
Jill E. Fishbein, Assistant Secretary
(Type or Print Name and Title)

NETWORK GENERAL CORPORATION
(Exact Name of Corporation)
by 
(Signature of President or Vice President)
Leslie G. Denend, President
(Type or Print Name and Title)

Dated _____, 19 ____

attested by _____
(Signature of Secretary or Assistant Secretary)

(Type or Print Name and Title)

(Exact Name of Corporation)
by _____
(Signature of President or Vice President)

(Type or Print Name and Title)

Dated _____, 19 ____

attested by _____
(Signature of Secretary or Assistant Secretary)

(Type or Print Name and Title)

(Exact Name of Corporation)
by _____
(Signature of President or Vice President)

(Type or Print Name and Title)

ATTACHMENT TO FORM BCA-11.25
ARTICLES OF MERGER OF
PROTOOLS, INC. AND PROGRESSIVE COMPUTING, INC.

Network General Corporation, a Delaware corporation ("NGC") lawfully owns all of the issued and outstanding capital stock of both ProTools, Inc., a Delaware corporation ("PTI") and Progressive Computing, Inc., an Illinois corporation ("PCI").

NGC has authorized, approved and adopted a plan of merger whereby (i) PCI shall merge with and into PTI, which shall be the surviving corporation and thereby succeed to all of the estate, property, rights, privileges and franchises of PCI and assume all of its liabilities and obligations, (ii) all outstanding shares of capital stock of PCI shall be canceled and no additional shares of capital stock of PTI shall be issued, and (iii) the certificate of incorporation and by-laws of PTI, as amended to date, shall be the certificate of incorporation and by-laws of the surviving corporation and the officers and directors of PTI shall be the officers and directors of the surviving corporation.