



05-31-2000



101369327

Form PTO-1595

U.S. Department of Commerce

Docket No. 18973-32 (PD25932)

F

To the Hon. Commissioner of Patents & Trademarks: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p><b>Digital Equipment Corporation</b></p> <p>Additional name of conveying party attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <b>Compaq Computer Corporation</b></p> <p>Address: <b>P.O. Box 692000</b> <b>20555 SH 249</b></p> <p>City: <b>Houston</b> State: <b>TX</b> ZIP: <b>77070-2698</b></p> <p>Additional name(s) and address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Articles of Merger of Parent and Subsidiary Corporations</p> <p>Execution Date: <b>December 9, 1999</b></p>	

4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is:

<p>A. Patent Application No.(s)</p> <p>08/980,105</p>	<p>B. Patent No.(s)</p>
-------------------------------------------------------	-------------------------

Additional numbers attached?  Yes  No


<p>5. Name and address party to whom correspondence concerning document should be mailed:</p> <p>Name: <b>Leah Sherry</b> <b>Oppenheimer Wolff &amp; Donnelly LLP</b></p> <p>Street Address: <b>3373 Hillview Avenue, Suite 200</b> City: <b>Palo Alto</b> State: <b>California</b> ZIP: <b>94304-1204</b></p>	<p>6. Total number of applications and patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41) <u>\$40.00</u></p> <p><input checked="" type="checkbox"/> Enclosed</p> <p><input checked="" type="checkbox"/> Any discrepancy or overpayment is authorized to be charged to deposit account</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>8. Deposit Account number: 02-3964</p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
--	--------------------------------------------------------------------------------------------------------------------

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.*

<p><b>Leah Sherry</b></p> <p>Name of Person Signing</p>	 <p>Signature</p>	<p><b>May 22, 2000</b></p> <p>Date</p>
---------------------------------------------------------	---------------------------------------------------------------------------------------------------------	----------------------------------------

Total number of pages including cover sheet, attachments, and document: 6

05/26/2000 CV0111 00000039 08980105

04 FC:581

40.00 OP

SV/95968.01

05192000/10:36/18973.32

PATENT REEL: 010811 FRAME: 0426



# *The Commonwealth of Massachusetts*

*Secretary of the Commonwealth*

*State House, Boston, Massachusetts 02133*

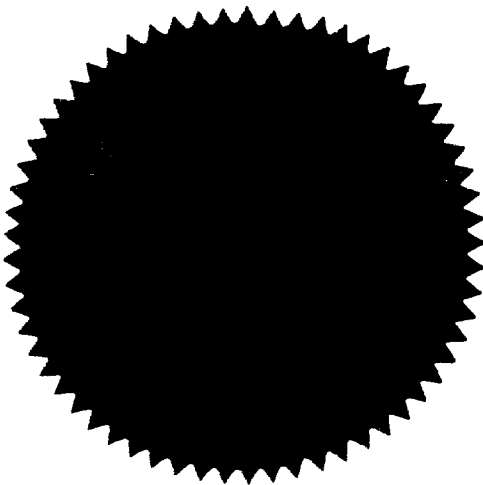
**William Francis Galvin**  
Secretary of the  
Commonwealth

January 28, 2000

TO WHOM IT MAY CONCERN:

I hereby certify that according to records in this office, Articles of Merger of Parent and Subsidiary corporations were filed here December 31, 1999, pursuant to Massachusetts General Laws, Chapter 156B, Section 82, whereby the subsidiary corporation, DIGITAL EQUIPMENT CORPORATION, a Massachusetts corporation merged into the parent corporation, COMPAQ COMPUTER CORPORATION, a Delaware corporation.

This certificate is issued in accordance with the provisions of Chapter 156B, Section 84.



In testimony of which,  
I have hereunto affixed the  
Great Seal of the Commonwealth  
on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

\*MGL Chapter 156B S83A provides that certain consolidations and mergers may be filed with the Division within thirty days **after** the effective date of the merger or consolidation.



**PATENT**  
**REEL: 010811 FRAME: 0427**

(S) Compaq Computer Corporation  
Federal Identification  
No. 76-0011617

(M) Digital Equipment Corporation  
FEDERAL IDENTIFICATION  
NO. 04-2226590  
Fee: \$250.00 N/C

Examiner  
46

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

081

## ARTICLES OF MERGER OF PARENT AND SUBSIDIARY CORPORATIONS (General Laws, Chapter 156B, Section 82)

We, Ben K. Wells \_\_\_\_\_, \*President / \*Vice President,  
   
and Linda S. Auwers \_\_\_\_\_, \*Clerk / \*Assistant Clerk,

(S) of COMPAQ COMPUTER CORPORATION  
\_\_\_\_\_  
(Exact name of corporation)

organized under the laws of DELAWARE \_\_\_\_\_ and herein called the parent corporation,  
certify as follows:

1. That the subsidiary corporation(s) to be merged into the parent corporation is/are:

NAME	STATE OF ORGANIZATION	DATE OF ORGANIZATION
DIGITAL EQUIPMENT CORPORATION 042226590	MASSACHUSETTS	8/23/57

2. The parent corporation, at the date of the vote, owned not less than ninety percent (90%) of the outstanding shares of each class of stock of the subsidiary corporation or corporations with which it has voted to merge.

Item 3 below may be deleted if all the corporations are organized under the laws of Massachusetts and if General Laws, Chapter 156B is applicable to them.

3. That in the case of each of the above named corporations, the laws of the state of its organization, if other than Massachusetts, permit the merger herein described, and that all action required under the laws of each such state in connection with this merger has been duly taken.

\*Delete the inapplicable words. In case the parent corporation is organized under the laws of a state other than Massachusetts, these articles are to be signed by officers having corresponding powers and duties.

4  
P.C.

4. That at a meeting of the directors of the parent corporation, the following vote, pursuant to General Laws, Chapter 156B, Section 82, Subsection (a) was duly adopted:

By unanimous vote of the Board of Directors of Compaq Computer Corporation on December 9, 1999, the following resolutions were duly adopted:

WHEREAS, the Board deems it advisable to merge Digital Equipment Corporation, a wholly owned subsidiary, into the Company; now therefore be it

RESOLVED, that the merger of Digital Equipment Corporation into the Company be and it hereby is approved, and the Company does hereby assume all of the liabilities and obligations of, and merge into itself, Digital Equipment Corporation;

FURTHER RESOLVED, that the merger shall become effective on midnight December 31, 1999;

FURTHER RESOLVED, that any Vice President or any Secretary/Clerk of the Company be and hereby is authorized and directed to execute a Certificate of Ownership and Merger setting forth a copy of these resolutions and to cause same to be filed with the Delaware Secretary of State and to execute Articles of Merger of Parent and Subsidiary Corporations and to cause same to be filed with the Massachusetts Secretary of the Commonwealth, and to take such further actions and to execute such documents as may be necessary to implement the merger; and

FURTHER RESOLVED, that the Board authorizes Michael D. Capellas, President and Chief Executive Officer of the Company, at his discretion, to amend or terminate and abandon this merger at any time prior to the time that the merger becomes effective with the Delaware Secretary of State and the Massachusetts Secretary of the Commonwealth.

*Note: Votes, for which the space provided above is not sufficient, should be listed on additional sheets to be numbered 4A, 4B, etc. Additional sheets must be 8 1/2 x 11 and have a left hand margin of 1 inch. Only one side should be used.*

MA025 - CT System Online

5. The effective date of the merger shall be the date approved and filed by the Secretary of the Commonwealth. If a later effective date is desired, specify such date, which shall not be more than *thirty days* after the date of filing.

December 31, 1999

Section 6 below may be deleted if the parent corporation is organized under the laws of Massachusetts.

6. The parent corporation hereby agrees that it may be sued in the Commonwealth of Massachusetts for any prior obligation of any corporation organized under the laws of Massachusetts with which it has merged, and any obligation hereafter incurred by the parent corporation, including the obligation created by General Laws, Chapter 156B, Section 82, Subsection (e), so long as any liability remains outstanding against the parent corporation in the Commonwealth of Massachusetts, and it hereby irrevocably appoints the Secretary of the Commonwealth as its agent to accept service of process in any action for the enforcement of any such obligations, including taxes, in the same manner as provided in Chapter 181.

SIGNED UNDER THE PENALTIES OF PERJURY, this 9th day of December, 19 99.

Ben K. Wells  
Ben K. Wells

\*President /  \*Vice President.

Linda S. Auwers  
Linda S. Auwers

\*Clerk /  \*Assistant Clerk.

*\*Delete the inapplicable words. In case the parent corporation is organized under the laws of a state other than Massachusetts, these articles are to be signed by officers having corresponding powers and duties.*

4A035 CT System Online

687038

118053478

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF MERGER OF PARENT AND SUBSIDIARY CORPORATIONS  
(General Laws, Chapter 156B, Section 82)

I hereby approve the within Articles of Merger of Parent and Subsidiary Corporations and, the filing fee in the amount of \$ 250.00 having been paid, said articles are deemed to have been filed with me this 30<sup>th</sup> day of DECEMBER 19 99.

RECEIVED

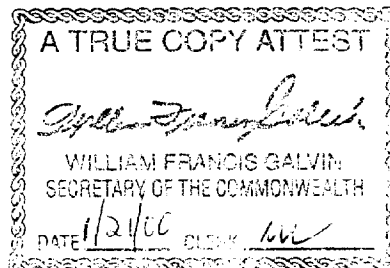
DEC 30 1999

CORPORATION DIVISION  
SECRETARY'S OFFICE

Effective date: 12-31-99

*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth



TO BE FILLED IN BY CORPORATION  
Photocopy of document to be sent to:

CT Corporation  
2 Oliver St.  
Boston, MA 00109

Telephone: \_\_\_\_\_



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Dean et al. Docket No: 18973-32 (PD25932)  
Serial No: 08/980,105 Group Art Unit: 2755  
Filing Date: November 26, 1997 Examiner: Opie, G.  
For: "Method for Scheduling Contexts Based on Statistics of Memory System Interactions in a Computer System"

**REVOCATION OF PRIOR POWERS OF ATTORNEY AND APPOINTMENT OF NEW ATTORNEYS OF RECORD**

Assistant Commissioner for Patents  
Washington, D.C. 20231

As an authorized representative of the assignee of the above-identified application,

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

I hereby revoke all powers of attorney previously given, and

**NEW POWER OF ATTORNEY**

I hereby appoint the following attorneys and/or agents to prosecute and transact all business in the Patent and Trademark Office connected therewith, and in all foreign patent offices in which corresponding applications for patent are filed.

Richard P. Lange (27,296); Claude A.S. Hamrick (22,586); Robert O. Guillot (28,852); Justin Boyce (40,920); Chien-Wei (Chris) Chou (41,672); Michael K. Bosworth (28,186); Anthony B. Diepenbrock (39,960); Leah Sherry (43,918)

Please send all correspondence in this matter to:

LEAH SHERRY  
OPPENHEIMER WOLFF & DONNELLY LLP  
3373 Hillview Avenue, Suite 200  
Palo Alto, CA 94304

and direct all telephone calls to Leah Sherry at 650-320-4000 (fax 650-320-4100).

Compaq Computer Corporation

Dated: 7 May, 2000

By: Richard P. Lange  
Name: Richard P. Lange  
Title: Patent Counsel

Assignee: Compaq Computer Corporation  
Address: 10435 N. Tantau Avenue  
Cupertino, CA 95014-0709

SV/04257.01  
05012000/10:26/18973.32



# *The Commonwealth of Massachusetts*

*Secretary of the Commonwealth*

*State House, Boston, Massachusetts 02133*

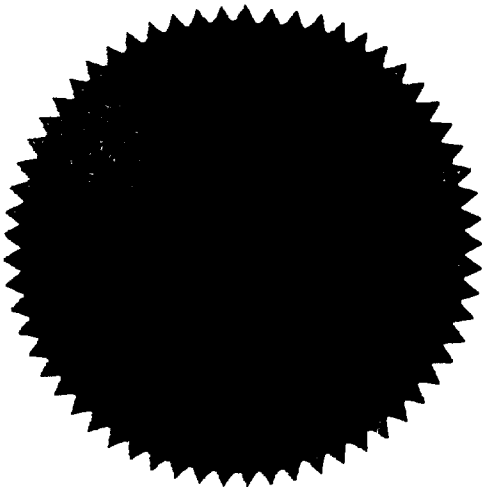
William Francis Galvin  
Secretary of the  
Commonwealth

January 28, 2000

TO WHOM IT MAY CONCERN:

I hereby certify that according to records in this office, Articles of Merger of Parent and Subsidiary corporations were filed here December 31, 1999, pursuant to Massachusetts General Laws, Chapter 156B, Section 82, whereby the subsidiary corporation, DIGITAL EQUIPMENT CORPORATION, a Massachusetts corporation merged into the parent corporation, COMPAQ COMPUTER CORPORATION, a Delaware corporation.

This certificate is issued in accordance with the provisions of Chapter 156B, Section 84.



In testimony of which,  
I have hereunto affixed the  
Great Seal of the Commonwealth  
on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

\*MGL Chapter 156B S83A provides that certain consolidations and mergers may be filed with the Division within thirty days **after** the effective date of the merger or consolidation.



**PATENT**  
**REEL: 010811 FRAME: 0433**



(S) Compaq Computer Corporation  
Federal Identification  
No. 76-0011617

Digital Equipment  
Corporation  
FEDERAL IDENTIFICATION  
NO. 04-2226590  
Fec: \$250.00 N/C

(M)

081

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

Examiner

46

## ARTICLES OF MERGER OF PARENT AND SUBSIDIARY CORPORATIONS (General Laws, Chapter 156B, Section 82)

We, Ben K. Wells \_\_\_\_\_, \*President / \*Vice President,

and Linda S. Auwers \_\_\_\_\_, \*Clerk / \*Assistant Clerk,

(S) of COMPAQ COMPUTER CORPORATION \_\_\_\_\_

(Exact name of corporation)

organized under the laws of DELAWARE \_\_\_\_\_ and herein called the parent corporation,

certify as follows:

1. That the subsidiary corporation(s) to be merged into the parent corporation is/are:

NAME	STATE OF ORGANIZATION	DATE OF ORGANIZATION
DIGITAL EQUIPMENT CORPORATION <i>042226590</i>	MASSACHUSETTS	8/23/57

2. The parent corporation, at the date of the vote, owned not less than ninety percent (90%) of the outstanding shares of each class of stock of the subsidiary corporation or corporations with which it has voted to merge.

Item 3 below may be deleted if all the corporations are organized under the laws of Massachusetts and if General Laws, Chapter 156B is applicable to them.

3. That in the case of each of the above named corporations, the laws of the state of its organization, if other than Massachusetts, permit the merger herein described, and that all action required under the laws of each such state in connection with this merger has been duly taken.

\*Delete the inapplicable words. In case the parent corporation is organized under the laws of a state other than Massachusetts, these articles are to be signed by officers having corresponding powers and duties.

P.C.

4

MA022 CT System Online

4. That at a meeting of the directors of the parent corporation, the following vote, pursuant to General Laws, Chapter 156B, Section 82, Subsection (a) was duly adopted:

By unanimous vote of the Board of Directors of Compaq Computer Corporation on December 9, 1999, the following resolutions were duly adopted:

WHEREAS, the Board deems it advisable to merge Digital Equipment Corporation, a wholly owned subsidiary, into the Company; now therefore be it

RESOLVED, that the merger of Digital Equipment Corporation into the Company be and it hereby is approved, and the Company does hereby assume all of the liabilities and obligations of, and merge into itself, Digital Equipment Corporation;

FURTHER RESOLVED, that the merger shall become effective on midnight December 31, 1999;

FURTHER RESOLVED, that any Vice President or any Secretary/Clerk of the Company be and hereby is authorized and directed to execute a Certificate of Ownership and Merger setting forth a copy of these resolutions and to cause same to be filed with the Delaware Secretary of State and to execute Articles of Merger of Parent and Subsidiary Corporations and to cause same to be filed with the Massachusetts Secretary of the Commonwealth, and to take such further actions and to execute such documents as may be necessary to implement the merger; and

FURTHER RESOLVED, that the Board authorizes Michael D. Capellas, President and Chief Executive Officer of the Company, at his discretion, to amend or terminate and abandon this merger at any time prior to the time that the merger becomes effective with the Delaware Secretary of State and the Massachusetts Secretary of the Commonwealth.

*Note: Votes, for which the space provided above is not sufficient, should be listed on additional sheets to be numbered 4A, 4B, etc. Additional sheets must be 8 1/2 x 11 and have a left hand margin of 1 inch. Only one side should be used.*

MA025 - CT System Online

5. The effective date of the merger shall be the date approved and filed by the Secretary of the Commonwealth. If a later effective date is desired, specify such date, which shall not be more than *thirty days* after the date of filing.

December 31, 1999

Section 6 below may be deleted if the parent corporation is organized under the laws of Massachusetts.

6. The parent corporation hereby agrees that it may be sued in the Commonwealth of Massachusetts for any prior obligation of any corporation organized under the laws of Massachusetts with which it has merged, and any obligation hereafter incurred by the parent corporation, including the obligation created by General Laws, Chapter 156B, Section 82, Subsection (c), so long as any liability remains outstanding against the parent corporation in the Commonwealth of Massachusetts, and it hereby irrevocably appoints the Secretary of the Commonwealth as its agent to accept service of process in any action for the enforcement of any such obligations, including taxes, in the same manner as provided in Chapter 181.

SIGNED UNDER THE PENALTIES OF PERJURY, this 9<sup>th</sup> day of December, 19 99.

Ben K. Wells \_\_\_\_\_, \*President / \*Vice President.

Linda S. Auwers \_\_\_\_\_, \*Clerk / \*Assistant Clerk.

\*Delete the inapplicable words. In case the parent corporation is organized under the laws of a state other than Massachusetts, these articles are to be signed by officers having corresponding powers and duties.

687038

118057478

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF MERGER OF PARENT AND SUBSIDIARY CORPORATIONS  
(General Laws, Chapter 156B, Section 82)

I hereby approve the within Articles of Merger of Parent and Subsidiary Corporations and, the filing fee in the amount of \$ 250.00 having been paid, said articles are deemed to have been filed with me this 30<sup>th</sup> day of DECEMBER 19 99

RECEIVED

DEC 30 1999

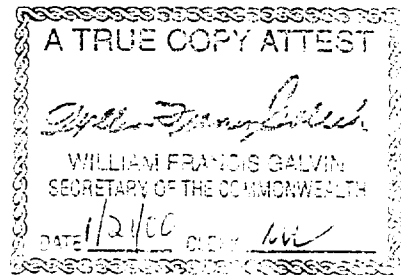
CORPORATION DIVISION  
SECRETARY'S OFFICE

Effective date:

12-31-99

*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth



TO BE FILLED IN BY CORPORATION  
Photocopy of document to be sent to:

CT Corporation  
2 Oliver St.  
Boston, MA 00109

Telephone: \_\_\_\_\_

MA025 - CT System Unit