

FORM PTO-1619A
Expires 06/30/99
OMB 0651-0027

U.S. Department of Commerce
Patent and Trademark Office
PATENT

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

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

Conveying Party(ies)

- ☐ Mark If additional names of conveying parties attached
- Execution Date
Month Day Year
03 01 2000

Name (line 1) BNA Systems, Inc.

Name (line 2) a corporation of California

Second Party

Name (line 1)

Name (line 2)

Execution Date
Month Day Year

Receiving Party

- ☐ Mark If additional names of receiving parties attached

Name (line 1) Aperto Networks, Inc.

Name (line 2) a corporation of California

Address (line 1) 1637 South Main Street

Address (line 2)

Address (line 3) Milpitas

City

CA
State/Country

95035
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

Enter for the first Receiving Party only.

Name John C. Merchant

Address (line 1) Swernofsky Law Group

Address (line 2) P.O.Box 390013

Address (line 3) Mountain View, CA 94039-0013

Address (line 4) United States

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

PATENT

700002125

REEL: 010967 FRAME: 0071

FORM PTO-1619B
Expires 08/30/99
OMB 0851-0027

Page 2

U.S. Department of Commerce
Patent and Trademark Office
PATENT**Correspondent Name and Address**

Area Code and Telephone Number 650.947.0700

Name John C. Merchant

Reg. No. 45,996

Address (line 1) Swernofsky Law Group

Address (line 2) P.O.Box 390013

Address (line 3) Mountain View, CA 94039-00

Address (line 4) United States

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

3

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)**

09475642

09475716

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.

2

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 80.00

Method of Payment:
Deposit AccountEnclosed ☐Deposit Account ☒

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

Deposit Account Number:

50-0365

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.

John C. Merchant

Name of Person Signing

Signature

Date

9-19-00

09/15/2000 09:41 4087199970
04/04/00 11:55 WILSON SONSINI → 4087199970

APERTO NETWORKS

PAGE 03
NO.896 P002

A0541301



SECRETARY OF STATE

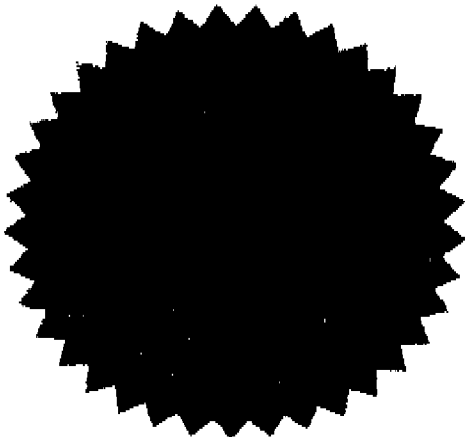
I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAR 21 2000

Secretary of State



A0541301

**CERTIFICATE OF AMENDMENT OF THE
ARTICLES OF INCORPORATION OF
BNA SYSTEMS, INC.
A California Corporation**

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAR 15 2000

BILL JONES, Secretary of State

The undersigned, Reza Ahy and Judith M. O'Brien, hereby certify that:

ONE: They are the duly elected and acting President and Chief Executive Officer and Secretary, respectively, of BNA Systems, Inc., a California corporation.

TWO: Article I of the Articles of Incorporation of said Corporation is amended to read in its entirety as follows:

ARTICLE I

The name of this Corporation is Aperto Networks, Inc. (the "Corporation").

THREE: The foregoing Certificate of Amendment of the Articles of Incorporation has been duly approved by the Board of Directors of said Corporation.

FOUR: The foregoing Certificate of Amendment of the Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Sections 902 and 903 of the California Corporations Code. The total number of outstanding shares of Common Stock of the Corporation entitled to vote hereon is 2,469,574. The total number of outstanding shares of Series A Preferred Stock entitled to vote hereon is 5,116,188. The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage voted required was more than 50% of the outstanding shares of the Common Stock and Preferred Stock, voting as a single class.

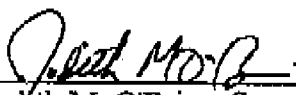
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

The undersigned certify under penalty of perjury that they have read the foregoing Certificate of Amendment of the Articles of Incorporation and know the contents thereof, and that the statements therein are true.

IN WITNESS WHEREOF, the undersigned have executed this certificate on March 19th, 2000.



Reza Ahy, President and Chief Executive Officer



Judith M. O'Brien, Secretary

