

LMU
6/14/01

06-20-2001



101754135

PATENT

JUN 14 2001

R SHEET

TO: 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

Name	Execution Date		
	Month	Day	Year
Name Stratus Computer Systems, S.a.r.l.	03	12	2001
Name			
Name			
Name			
Name			

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

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

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

FOR OFFICE USE ONLY

06/20/2001 LMU:LER 00000059 0981988.1

01 FC:5A)

40.00 OF

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

PATENT

REEL: 011895 FRAME: 0505

Correspondent Name and Address

Area Code and Telephone Number (617) 248-7000

Name Patent Administrator

Address (line 1) Testa, Hurwitz & Thibault, LLP

Address (line 2) High Street Tower

Address (line 3) 125 High Street

Address (line 4) Boston, MA 02110

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

4

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)**

09/819,883

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:

Enclosed ☒Deposit Account ☐

Deposit Account

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

Deposit Account Number

20-0531

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.

Ralph Tremontozzi

Name of Person Signing

Signature

Date

6/11/01

Stratus Technologies International, Sàrl

a *société anonyme* with its registered office at
10 rue Antoine Jans in L - 1820 Luxembourg

Registre de Commerce Luxembourg B 68 655

Certificate of the Secretary

I, Jean-François Bouchoms, in my capacity as Secretary of **Stratus Technologies International, Sàrl**, formerly known as Stratus Computer Systems Sàrl,

a Luxembourg private limited liability company (*société à responsabilité limitée*) with registered office at 10 rue Antoine Jans in 1820 Luxembourg, registered with the Luxembourg Trade and Companies Registry under the number B 68 655, incorporated on February 18, 1999 pursuant to a deed of notary Gérard Lecuit of Hesperange, published in the *Mémorial, Recueil des Sociétés et Associations*, C – N° 357 of May 20, 1999 (hereafter the "Company"),

hereby confirm that the shareholder of the Company in its extraordinary general meeting ("EGM") of March 12, 2001 resolved to change the name of the Company into **Stratus Technologies International, Sàrl** and to amend accordingly article 1 of the articles of association of the Company.

A certified copy of the EGM is enclosed to the present certificate.

Done in Luxembourg on March 14, 2001.



By : Jean-François Bouchoms
Title : *Secretary of the Company*

STRATUS TECHNOLOGIES INTERNATIONAL, Sàrl
a société à responsabilité limitée
with its registered office at
10, rue Antoine Jans in L - 1820 Luxembourg
Registre de Commerce Luxembourg B 68 655

ASSEMBLEE GENERALE EXTRAORDINAIRE DU 12 MARS 2001
N°

In the year two thousand one, on the twelfth Day of March, before Gérard Lecuit, notary residing in Hesperange,

THERE APPEARED :

Stratus Computer Systems International S.A., a limited liability company (*société anonyme*) incorporated under the laws of Luxembourg, having its registered office 10, rue Antoine Jans in L - 1820 Luxembourg, registered with the Luxembourg Company Registry under the number B 68 862,

here represented by Jean-François Bouchoms, attorney-at-law, residing in Luxembourg, by virtue of two proxies given on March 11 and 12, 2001.

Such proxies, after having been signed "ne varietur" by the proxyholder acting on behalf of the appearing party and the undersigned notary, shall remain attached to the present deed to be filed together with the deed with the registration authorities.

The appearing party, represented as stated here above, has requested the undersigned notary to record the following :

- that it is the sole shareholder of Stratus Computer Systems Sàrl, a *société à responsabilité limitée* having its registered office at 10, rue Antoine Jans in L - 1820 Luxembourg, registered with the Luxembourg Company Registry under the number B 68 655, incorporated as a Luxembourg company by a deed of the undersigned notary dated February 18, 1999, published in the *Mémorial, Recueil des Sociétés et Associations*, C - N° 357 of May 20, 1999 (hereafter the "Company");
- that the articles of association of the Company have been amended by several deeds and for the last time by a deed of the undersigned notary dated February 19, 2001 not yet published in the *Mémorial, Recueil des Sociétés et Associations*;
- that the sole shareholder has taken the following resolution :

FIRST AND SOLE RESOLUTION

The sole shareholder of the Company resolves to change the name of the Company into "Stratus Technologies International, Sàrl" and subsequently to change article 1 of the

articles of association of the Company so that it shall henceforth read as follows :

"Article 1. Name and duration

There exists a *société à responsabilité limitée* under Luxembourg law by the name of "Stratus Technologies International, Sàrl" (hereafter the "Company").

The Company is formed for an unlimited duration."

ESTIMATE OF COSTS

The amount of the expenses in relation to the present deed are estimated to be approximately LUF 35.000.

The undersigned notary who understands and speaks English, states herewith that on request of the appearing party, the present deed is worded in English followed by a French version; at the request of the same appearing party, it is stated that, in case of discrepancies between the English and the French texts, the English version shall prevail.

Whereof the present notarial deed was drawn up in Luxembourg.

On the day named at the beginning of this document.

The document having been read to the proxyholder of the appearing party, said proxyholder signed together with us, the notary, the present original deed.

SUIT LA TRADUCTION FRANÇAISE DU TEXTE QUI PRÉCÈDE :

L'an deux mil un, le douze mars, par devant Maître Gérard Lecuit, notaire de résidence à Hesperange,

A COMPARU :

Stratus Computer Systems International S.A., une société anonyme de droit luxembourgeois, avec siège social au 10, rue Antoine Jans à L - 1820 Luxembourg, inscrite auprès du Registre de Commerce et des Sociétés de et à Luxembourg sous le numéro B 68 862,

ici représentée par Maître Jean-François Bouchoms, avocat, demeurant à Luxembourg, en vertu de deux procurations des 11 et 12 mars 2001.

Lesquelles procurations, après avoir été signées "ne varietur" par le mandataire agissant pour compte de la partie comparante et le notaire instrumentaire, demeureront annexées au présent acte avec lequel elle seront enregistrées.

Le comparant, ainsi représenté, a requis le notaire instrumentant d'acter ce qui suit :

- qu'il est l'associé unique de Stratus Computer Systems Sàrl, une *société à responsabilité limitée* de droit luxembourgeois avec siège social au 10, rue Antoine Jans à L - 1820 Luxembourg, inscrite auprès du Registre de Commerce et des

Sociétés de et à Luxembourg sous le numéro B 68 655, constituée en vertu d'un acte du notaire soussigné du 18 février 1999, publié au Mémorial, Recueil des Sociétés et Associations, C – N° 357 du 20 mai 1999 (ci-après la "Société") ;

- que les statuts de la Société ont été modifiés par plusieurs actes notariés et pour la dernière fois par un acte du notaire soussigné du 19 février 2001 qui n'est pas encore publié au Mémorial, Recueil des Sociétés et Associations;
- que l'associé unique a pris la résolution suivante :

PREMIERE ET UNIQUE RESOLUTION

L'associé unique de la Société décide de changer le nom de la Société en "Stratus Technologies International, Sàrl" et de modifier en conséquence l'article 1 des statuts afin de lui donner la teneur suivante :

"Article 1. Nom et durée

Il existe une société à responsabilité limitée de droit luxembourgeois sous le nom de "Stratus Technologies International, Sàrl" (ci-après la "Société").

La Société est constituée pour une durée illimitée."

ESTIMATION DES FRAIS

Le montant des frais en relation avec le présent acte est estimé à LUF 35.000.

DONT ACTE.

Le notaire soussigné, qui a personnellement la connaissance de la langue anglaise, atteste, par la présente, qu'à la demande du comparant, le présent acte est établi en langue anglaise et suivi d'une traduction française. A la demande du comparant et en cas de divergence entre la version anglaise et la version française, la version anglaise prévaudra.

Fait et passé à Luxembourg, date qu'en tête des présentes.

Et après lecture faite au comparant, il a signé le présent acte avec le notaire.



COPIE CERTIFIÉE CONFORME

A L'ORIGINAL

Hesperange, le 12.03.2001

