07-16-2001 U.S. DEPARTMENT OF COMMERCE **FORM PTO-1595** Patent and Trademark Office (Rev. 3/01) OMD NO. 0651-0011 exp. 5/31/2002) 101777574 To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof. 2. Name and address of receiving party(ies): 1. Name of conveying party(ies): Name: Sharewave, Inc. Enterplay, Inc. Additional name(s) of conveying party(ies) attached? Internal Address: No □Yes 3. Nature of Conveyance Street Address: 5175 Hillsdale Circle ☐ Assignment Merger Security Agreement Change of Name City: El Dorado Hills State/Provence: CA Other: Additional name(s) & address(es) attached? ☐ Yes Execution Date(s): 4. Application Number(s) or patent number(s): : If this document is being filed together with a new application, the execution date of the application is: B. Patent No.(s) A. Patent Application No.(s) 08/792,003 Additional numbers attached? Yes 6. Total number of applications and patents involved: 1 Name and address of party to whom correspondence concerning document should be mailed: 7. Total Fee (37 CFR 3.41)......\$40.00 Name: Blakely, Sokoloff, Taylor & Zafman LLP Enclosed Internal Address: Authorized to be charged to deposit account Street Address: 12400 Wilshire Bouleyard, 7th Floor 8. Deposit Account Number: Zip: 90025 City: Los Angeles State: California 02-2666 (Attach duplicate copy of this page if paying by deposit account)

> Total number of pages including cover sheet, attachments, and document: 5. Mail documents to be recorded with required cover sheet information to: Assistant Commissioner of Patents, Box Assignments Washington, D.C. 20231

Signature

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To the best of my knowledge and believe, the foregoing is true and correct and any attached copy is a true copy of the original

Atty Docket No. 3498P021

Tarek N. Fahmi, Reg. No. 41,402

Name of Person Signing

07/13/2001 ANNED1 00000073 08792003 01 FC:581

document

Zip: 95762.

No

### State of Delaware

## 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 "ENTERPLAY, INC.",

CHANGING ITS NAME FROM "ENTERPLAY, INC." TO "SHAREWAVE, INC.",

FILED IN THIS OFFICE ON THE TENTH DAY OF JUNE, A.D. 1997, AT

6:30 O'CLOCK P.M.

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



Edward J. Freel, Secretary of State

AUTHEN BEATION:

8506438

DATE

06-11-97

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2613593

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PATENT REEL: 011963 FRAME: 0833

#### CERTIFICATE OF AMENDMENT

**OF** 

# AMENDED AND RESTATED CERTIFICATE OF INCORPORATION

**OF** 

### ENTERPLAY, INC.

We, Bobby M. Bennett, Jr. and Geoffrey C. Bland, each hereby certify that:

- (1) They are the President and Chief Executive Officer and Secretary, respectively, of EnterPlay, Inc., a Delaware corporation (the "Corporation"), the original Certificate of Incorporation of which was filed with the Secretary of State of the State of Delaware on April 15, 1996, under the name of EnterPlay Inc. An Amended and Restated Certificate of Incorporation of the Corporation was filed with the Secretary of State of the State of Delaware on May 14, 1997.
- (2) Article I of the Amended and Restated Certificate of Incorporation of the Corporation is amended and restated to read in its entirety as follows:

### "ARTICLE I

The name of the corporation is ShareWave, Inc."

Paragraph A of Article VI of the Amended and Restated Certificate of
Incorporation of the Corporation is amended and restated to read in its entirety as follows:

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PATENT REEL: 011963 FRAME: 0834

### "ARTICLE IV

- A. Classes of Stock. This corporation is authorized to issue two classes of stock to be designated, respectively, "Common Stock" and "Preferred Stock." The total number of shares which the corporation is authorized to issue is Twenty Eight Million Six Hundred Twenty Thousand (28,620,000) shares. Twenty Five Million (25,000,000) shares shall be Common Stock with a par value of \$.001 per share and Three Million Six Hundred Twenty Thousand (3,620,000) shares shall be Preferred Stock with a par value of \$.001 per share. Upon the filing of this Certificate of Amendment of Amended and Restated Certificate of Incorporation each outstanding share of Common Stock is split up and converted into 3 shares."
- (4) This Certificate of Amendment of Amended and Restated Certificate of Incorporation has been duly adopted by the Board of Directors of this Corporation in accordance with Section 242 of the General Corporation Law of the State of Delaware.
- Incorporation has been duly approved, in accordance with Section 242 of the General Corporation Law of the State of Delaware, by the written consent of the holders of a majority of the outstanding stock entitled to vote thereon, and a majority of the outstanding stock of each class entitled to vote thereon as a class, and prompt written notice of such action will be given to the holders of such shares who did not so consent, in each case in accordance with Section 228 of the General Corporation Law of the State of Delaware.

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IN WITNESS WHEREOF, the undersigned have executed this Certificate of Amendment of Amended and Restated Certificate of Incorporation on this 10th day of June, 1997.

ENTERPLAY, INC.

Bobby M. Bennett, Jr.
President-and Chief Executive Officer

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