
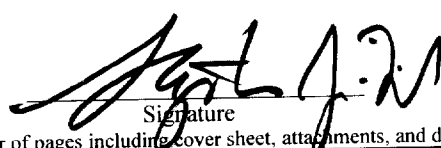




08-16-02

D\$

PATENT
245001-2000, 2001, 2002

Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings ⇒ ⇒ ⇒ ▼		08-22-2002 	ET U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office
To the Honorable Commissioner		102198405	ached original documents or copy thereof.
1. Name of conveying party(ies): International Securities Exchange LLC, a New York Limited Liability Corporation Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: International Securities Exchange, Inc. Internal Address: 60 Broad Street, 26 th Floor New York, New York 10004 Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of Conveyance: <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other Execution Dates: Attached Certificate of Merger executed April 30, 2002			
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: A. Patent Application No.(s) <u>09/433,613</u> B. Patent No.(s) <u>6,405,180</u> <u>6,377,940</u> Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Stephen J. Lieb</u> Internal Address: <u>FROMMER LAWRENCE & HAUG LLP</u> <u>745 Fifth Avenue</u> <u>New York, New York 10151</u>		6. Total number of applications and patents involved: 3 7. Total fee (37 CFR 3.41)\$ 120.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to charge deposit account if any additional fees are deemed necessary. 8. Deposit account number: 50-0320 (Attach duplicate copy of this page if paying by deposit account)	
DO NOT USE THIS SPACE			
9. Statement and signature. <i>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.</i> Stephen J. Lieb _____ Name of Person Signing  _____ Signature August 15, 2002 _____ Date			

Total number of pages including cover sheet, attachments, and documents:

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 2023108/21/2002 DRYNE 00000046 09433613
01 FC:581 120.00 DP

00078258.DOC

PATENT
REEL: 013203 FRAME: 0035

FROM CORPORATION TRUST WILM TEAM #4

(WED) 5/1/02 12:31/ST. 12:30/NO. 4263796772 P 2

Delaware

PAGE 1

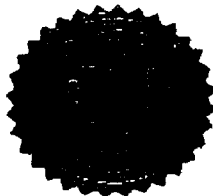
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"INTERNATIONAL SECURITIES EXCHANGE LLC", A NEW YORK LIMITED LIABILITY COMPANY,

WITH AND INTO "INTERNATIONAL SECURITIES EXCHANGE, INC." UNDER THE NAME OF "INTERNATIONAL SECURITIES EXCHANGE, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF APRIL, A.D. 2002, AT 4:30 O'CLOCK P.M.

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



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3468313 8100M
020276610

AUTHENTICATION: 1752897

DATE: 05-01-02

FROM CORPORATION TRUST WILM TEAM #4

(WED) 5/1/02 12:31/ST 12:30/NO 4863796772 P 3

APR-30-2002 12:04

CT CORPORATION

P.02

CERTIFICATE OF MERGER
OF
INTERNATIONAL SECURITIES EXCHANGE LLC
INTO
INTERNATIONAL SECURITIES EXCHANGE, INC
(Under Section 264 of the General Corporation Law of Delaware)

Pursuant to the provisions of Section 264 of the General Corporation Law of Delaware, the undersigned corporation DOES HEREBY CERTIFY:

FIRST: That the names of each of the constituent corporations of the merger are: International Securities Exchange LLC, a New York limited liability company (the "Merging Corporation"), and International Securities Exchange, Inc., a Delaware corporation ("ISE"). The Merging Corporation and the ISE are sometimes hereinafter referred to as the ("Constituent Corporations").

SECOND: That an Agreement and Plan of Merger between the parties to the merger, merging the Merging Corporation with and into ISE (the "Merger"), has been approved, adopted, certified, executed and acknowledged by each of the Constituent Corporations in accordance with the requirements of Section 264 of the General Corporation Law of Delaware.

THIRD: That the name of the surviving corporation of the Merger is International Securities Exchange, Inc., a Delaware corporation.

FOURTH: That the Certificate of Incorporation of ISE, which is the surviving corporation, shall continue in full force and effect as the Certificate of Incorporation of the surviving corporation.

FIFTH: That the executed Agreement and Plan of Merger is on file at the principal place of business of ISE, the surviving corporation, the address of which is 60 Broad Street, New York, New York, 10004.

NY130297136-1

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 04:30 PM 04/30/2002
020276510 - 3468313

FROM CORPORATION TRUST WILM. TRAV #4

WED. 5 11'02 12:32/ST. 12:30/NO. 4863796772 P 4

APR-30-2002 12:04

CT CORPORATION

P.03

SIXTH: That a copy of the Agreement and Plan of Merger will be furnished, on request and without cost, to any stockholder of any Constituent Corporation.

April 30, 2002

INTERNATIONAL SECURITIES EXCHANGE, INC.

By:


Michael Smith
Secretary

NY: 0097130-1

2

TOTAL P.03