| □ Assignment □ Merger □ Security Agreement □ Change of Name □ Other □ Change of Name □ Other □ Change of Name □ Application number(s) or patent number(s): If this document is being filed together with a new application, the execution A. Patent Application No.(s) 09/433,613 □ Additional numbers attached □ Additional numbers attached 5. Name and address of party to whom correspondence concerning document should be mailed: □ 7. Name: Stephen J. Lieb 7. Internal Address: FROMMER LAWRENCE & HAUG LLP □ 745 Fifth Avenue New York, New York 10151 ■ 00 NOT USE THI 9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and is a true copy of the original document. Signature signature. Stephen J. Lieb □ 1. □ 1. | ached original documents or copy thereof. 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 litional name(s) & address(es) attached? Yes No date of the application is: . Patent No.(s) 6,405,180 6,377,940 |
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| (Rev. 03/01) OUD EL LOUE OMB No. 0651-0027 (exp. 5/31/2002) To the Honorable Commissioner 102198405 1. Name of conveying party(ies): 1/5/0/2 2. International Securities Exchange LLC, a New York Limited 2. International Securities Exchange LLC, a New York Limited 2. International Securities Exchange LLC, a New York Limited 2. International Securities Exchange LLC, a New York Limited 2. International Securities Exchange LLC, a New York Limited 2. Additional name(s) of conveying party(ies) attached? Yes ⊠ No 3. Nature of Conveyance: A Generation Additional name(s) of conveying party(ies) attached? Yes ⊠ No 3. Nature of Conveyance: A Generation Dates: Attached Certificate of Merger executed April 30, 2002 4. 4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution A. Patent Application No.(s) 09/433,613 6. 5. Name and address of party to whom correspondence concerning document should be mailed: 7. Name: StephenJ, Lieb 7. Internal Address: FROMMER LAWRENCE & HAUG LLP 2. 745.Eifth Avenue ar New York, New York | U.S. Patent and Trademark Office ached original documents or copy thereof. 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 Ititional name(s) & address(es) attached? Yes Address: Address: Internal name(s) & address(es) attached? Yes No |
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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 FORMARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS .

Smith Windson

Harrier Smith Windsor, Secretary of State

AUTHENTICATION: 1752897

DATE: 05-01-02

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CERTIFICATE OF MERGER

OF

INTERNATIONAL SECURITIES EXCHANGE LLC

NTO

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 <u>Corporation</u>"), and International Securities Exchange, Inc., a Delaware corporation ("ISE"). The Merging Corporation and the ISE are sometimes hereinafter referred to as the ("<u>Conginent</u> <u>Corporations</u>").

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

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

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

FIFTH: That the excepted Agreement and Plan of Morgar 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.

> STATE OF DELIVARE SECRETARY OF STATE DIVISION OF CORPORATIONS FILED 04:30 PM 04/30/2002 D20276610 - 3468313

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SDATH: That a copy of the Agreement and Pine of Morgar will be furnished, on request and without cost, to any nocleholder of any Constituent Corporation.

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April 10, 2002

INTERNATIONAL SECURITIES EXCHANCE, INC.

Lech By: MICHAN Secretary

NYL HELSTICK

RECORDED: 08/15/2002