

12-02-2003



ASSIGN. 102612707 SHEET
-PATENTS ONLY-

To: Honorable Commissioner of Patents and Trademarks:

Please record the attached original document(s) or copy thereof.

- 1. Name of conveying party(ies) 12-1-03
 - a) Legato Systems, Inc.
- 2. Name and address of receiving party(ies):
 - a) Name: EMC Corporation
 - b) Address: 176 South Street
Hopkinton, MA 01748

- 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 _____	<input type="checkbox"/> License Agreement

Execution Date: October 20, 2003

- 4. Application Number(s) or Patent Number(s): 6,324,654

The title of the (new) application is:

COMPUTER NETWORK REMOTE DATA MIRRORING SYSTEM

- 5. Please send all correspondence concerning this (these) documents to:

**Customer No. 21912
 Van Pelt & Yi LLP
 10050 N. Foothill Blvd,
 Suite 200
 Cupertino, CA 95014
 408-973-2585**

2003 DEC -1 PM 2:27
 OPR/FINANCE

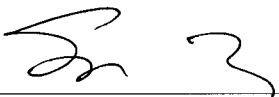
- 6. Total number of applications and patents involved: 1

- 7. Total fee (37 CFR 3.41): \$40.00

- Enclosed
- Any deficiencies are hereby authorized to be charged to Deposit Account No. 50-0685 (Order No. LEGAP007)

- 8. 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.

Date: November 21, 2003



 Susan C. Yi
 Registration No. 39,883

12/02/2003 LMUELLER 00000041 6324654

01 FC:8021

40.00 OP

Attorney Docket No. LEGAP007

(Revised 01/96)

Delaware

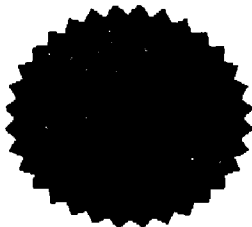
PAGE 1

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 OWNERSHIP, WHICH MERGES:

"LEGATO SYSTEMS, INC.", A DELAWARE CORPORATION,

WITH AND INTO "EMC CORPORATION" UNDER THE NAME OF "EMC CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MASSACHUSETTS, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTIETH DAY OF OCTOBER, A.D. 2003, AT 5:56 O'CLOCK P.M.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3717446 8100M

AUTHENTICATION: 2710519

030673016

DATE: 10-24-03

PATENT
REEL: 014725 FRAME: 0590

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

LEGATO SYSTEMS, INC.

INTO

EMC CORPORATION

EMC Corporation, a corporation organized and existing under the laws of the Commonwealth of Massachusetts,

DOES HEREBY CERTIFY:

FIRST: That this corporation was incorporated on the 23rd day of August, 1979, pursuant to the General Laws, Chapter 156B of the Commonwealth of Massachusetts.

SECOND: That this corporation owns all of the outstanding shares of common stock of LEGATO Systems, Inc., a corporation incorporated on the 15th day of September, 1988, pursuant to Section 102 of the General Corporation Law of the State of Delaware.

THIRD: That this corporation, by the following votes of its Board of Directors, duly adopted on October 14, 2003 by the unanimous written consent of its members, filed with the minutes of the Board, determined to and did merge into itself said LEGATO Systems, Inc.:

VOTED: That effective at the Effective Time, EMC Corporation merge LEGATO Systems, Inc. into itself and assume all of the liabilities and obligations of LEGATO Systems, Inc.; and

FURTHER VOTED: That in connection with the merger of LEGATO Systems, Inc. with and into EMC Corporation, the appropriate officers of EMC Corporation be, and they hereby are, authorized and directed to prepare, execute and deliver in the name and on behalf of EMC Corporation any required document or certificate, including without limitation any certificate of ownership or certificate or articles of merger, which may include any required information, including without limitation, as appropriate, a copy of these votes to merge LEGATO Systems, Inc. and assume its liabilities and obligations, the date of adoption of such votes or the effective date of such merger, and to file the same as required by applicable law in the offices of the Secretaries of State of the Commonwealth of Massachusetts or the State of Delaware; and that any such documents, certificates,

articles and filings are hereby authorized and approved as the proper acts and deeds of EMC Corporation: and

**FURTHER
VOTED:**

That the appropriate officers of EMC Corporation be, and they hereby are, authorized and directed to do all acts and things whatsoever, including without limitation satisfying any applicable franchise tax or other obligations by or on behalf of LEGATO Systems, Inc., whether within or without the Commonwealth of Massachusetts or the State of Delaware, which may be in any way necessary or proper to effect such merger of LEGATO Systems, Inc.

FOURTH: That this corporation survives the merger and may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of LEGATO Systems, Inc. as well as for enforcement of any obligation of the surviving corporation arising from the merger, including any suit or other proceeding to enforce the right of any stockholder as determined in appraisal proceedings pursuant to the provisions of Section 262 of the General Corporation Law of the State of Delaware, and it does hereby irrevocably appoint the Secretary of State of Delaware as its agent to accept service of process in any such suit or other proceeding. The address to which a copy of such process shall be mailed by the Secretary of State of Delaware is the Office of the General Counsel, EMC Corporation, 176 South Street, Hopkinton, MA 01748, until the surviving corporation shall have hereafter designated in writing to the said Secretary of State a different address for such purpose. Service of such process may be made by personally delivering to and leaving with the Secretary of State of Delaware duplicate copies of such process, one of which copies the Secretary of State of Delaware shall forthwith send by registered mail to EMC Corporation.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, said EMC Corporation has caused this Certificate to be signed by Paul T. Dacier, its Senior Vice President and General Counsel, this 20th day of October, 2003.

EMC CORPORATION

/s/ Paul T. Dacier

Paul T. Dacier

Senior Vice President and General Counsel