

7/27/04

07-30-2004



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Attached original documents or copy thereof.

1. Name of conveying party(ies):

Stac Electronics

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other _____

Execution Date: **October 3, 1995**

2. Name and address of receiving party(ies):

Name: **Stac, Inc.**

Internal Address: _____

Street Address: **12636 High Bluff Drive**

Suite 400

City: **San Diego** State: **CA** ZIP: **92130**

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

5,778,395

2004 JUL 27 AM 9:01
OPR/FINANCE

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **John R. Thompson**

Internal Address: **STOEL RIVES LLP**

Street Address: **One Utah Center**

201 So. Main Steet, Suite 1100

City: **Salt Lake City** State: **UT** ZIP: **84111**

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

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

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number:

502375

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9. 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.

John R. Thompson

Name of Person Signing

Signature

July 27, 2004

Date

Total number of pages including cover sheet, attachments, and document: **4**

NCTU

A467373

FILED
in the office of the Secretary of State
of the State of California

1168442 SWV

OCT 24 1995

**CERTIFICATE OF OWNERSHIP AND MERGER
MERGING**

Bill Jones
BILL JONES, Secretary of State

**STAC, INC., A CALIFORNIA CORPORATION
INTO
STAC ELECTRONICS, A CALIFORNIA CORPORATION**

(PURSUANT TO CALIFORNIA CORPORATIONS CODE SECTION 1110)

GARY W. CLOW, President, and JOHN R. WITZEL, Secretary, of STAC ELECTRONICS, a California corporation (the "Corporation"), do hereby certify that:

1. The Corporation is incorporated pursuant to the California Corporations Code.
2. The Corporation owns 100 percent of the outstanding shares of each class of the capital stock of STAC, INC., a California corporation.
3. The Corporation, by the resolutions (the "Resolutions") attached hereto as Exhibit A, duly approved, authorized and adopted by the Board of Directors on February 24, 1995, determined to enter into a merger whereby STAC, INC., a California corporation, would be merged into the Corporation, with the Corporation remaining as the surviving entity, and whereby Article I of the Corporation's Amended and Restated Articles of Incorporation shall be amended to read as follows:

I.

The name of the Corporation (the "Corporation") is STAC, INC.

IN WITNESS WHEREOF, we declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge this 30th day of October, 1995.

By *Gary W. Clow*
Gary W. Clow

By *John R. Witzel*
John R. Witzel

26689 v1/SD
10/29/95

EXHIBIT A
RESOLUTIONS OF THE
BOARD OF DIRECTORS OF
STAC ELECTRONICS

CORPORATE NAME CHANGE

WHEREAS, the Board has determined that it is in the best interests of the Company to change the name of the Company to "STAC, INC.;"

WHEREAS, the Board has determined that it is in the best interests of the Company to effect such name change through the merger of STAC, INC., a wholly-owned subsidiary of the Company, into the Company pursuant to Section 1110 of the Corporations Code of the State of California (the "California Corporations Code");

RESOLVED, that STAC, INC. be merged into the Company and that the Company shall be the surviving corporation in such merger pursuant to Section 1110 of the California Corporations Code;

RESOLVED FURTHER, that such merger shall become effective upon filing of a Certificate of Ownership and Merger substantially in the form reviewed and approved by the Board at this meeting with the Secretary of State of the State of California in accordance with Section 1110 of the California Corporations Code (the "Certificate of Merger");

RESOLVED FURTHER, that upon the effectiveness of the merger, the Company shall assume all of the liabilities and obligations of STAC, INC.;

RESOLVED FURTHER, that upon the effectiveness of the merger, the name of the Company shall be changed to STAC, INC., and Article I of the Company's Amended and Restated Articles of Incorporation shall thereby be amended to read as follows:

I

The name of the corporation (the "Corporation") is STAC, INC.

RESOLVED FURTHER, that the officers of the Company be, and each of them hereby is, authorized and directed, for and on behalf of the Company, to execute, in connection with the merger with STAC, INC., a Certificate of Ownership and Merger substantially in the form reviewed and approved by the Board at this meeting;

RESOLVED FURTHER, that the officers of the Company be, and each of them hereby is, authorized and directed, for and on behalf of the Company, to take all action

deemed necessary or appropriate with respect to the foregoing merger and name change, including but not limited to filing such statements and certificates with the Secretaries of State of the States of California, Delaware and any other state as may be deemed necessary or appropriate by such officers, and that any and all such actions that may have been taken to date are hereby authorized, ratified, approved and confirmed in all respects.

GENERAL AUTHORIZING RESOLUTION

RESOLVED, that the officers of the Company be, and each of them hereby is, authorized and directed, for and on behalf of the Company, to take such actions and execute such documents as they deem necessary or advisable in order to carry out and perform the purposes of the foregoing resolutions, and any and all such actions that may have been taken to date are hereby authorized, ratified, approved and accepted.

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