Form **PTO-1595** 

(Rev. 10/02)

QMB No. 0651-0027 (exp. 6/30/2005)

 Name of conveying party(ies): Crystal Decisions, Inc.

3. Nature of conveyance: [] Assignment

Other ( )

Security Agreement

Execution Date: December 11, 2003

A. Patent Application No.(s)

09/967.806

Application number(s) or patent number(s):

To the Honorable Commissioner of Patents and Trademarks:

Additional name(s) of conveying party(ies) attached? [ Yes [X] No

RECORDATION FO

[X] Merger

[] Change of Name

PATENT

RM COVER SHEET S ONLY	U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office
Please record the attached o	original documents or copy thereof.
2. Name and address of	receiving party(ies)
Name: Business Ob	ojects Americas
Internal Address:	
Street Address: 3030	Orchard Parkway
City: San Jose S	tate: CA Zip: 95134
Additional name(s) &	& address(es) attached? No [X] Yes []
the execution date of the a	pplication is:

Additional numbers attached? 5. Name and address of party to whom correspondence concerning document should be mailed: Name: Cooley Godward LLP Internal Address: Patent Group Street Address: Five Palo Alto Square

If this document is being filed together with a new application,

3000 El Camino Real

City: Palo Alto State: CA Zip: 94306-2155

6. Total number of applications and patents involved: [1]

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

Enclosed

[] Yes [X], No

[X] Authorized to be charged to deposit account

Deposit account number: 03-3117

The Commissioner is hereby authorized to charge any appropriate fees under 37 CFR 3.41 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117. This paper is submitted in duplicate.

## DO NOT USE THIS SPACE

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.

William S. Galliani, Reg. 33,885

Name of Person Signing

Signature

Total number of pages including cover sheet, attachments, and documents: [6]

Mail documents to be recorded with required cover sheet information to: Mail Stop Assignment Recordation Services, Director of the U.S. Patent and Trademark Office P.O. Box 1450, Alexandria, VA 22313-1450

I hereby certify that this correspondence is being transmitted by facsimile addressed Facsimile Number (703) 306-5995, at United States Patent and Trademark Office, Alexandria, VA 22313-1450 on March 8, 2005.

Dolores McKay

697233 v1/PA

**PATENT** REEL: 015859 FRAME: 0108

12/11/28/03 14:18 SKARDEL INC. + 16965848918883292521



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:

"CRYSTAL DECISIONS, INC.", A DELAWARE CORPORATION,

WITH AND INTO "BUSINESS OBJECTS AMERICAS" UNDER THE NAME OF "BUSINESS OBJECTS AMERICAS", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE RLEVENTH DAY OF DECEMBER, A.D. 2003, AT 12:43 O'CLOCK P.M.

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



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030794014

AUTHENTICATION: 2804422

DATE: 12-11-03

**PATENT** 

REEL: 015859 FRAME: 0109

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State of Deleveren. 357
Secretary of State
Delivered 08:00 lH 12/11/2003
FILED 12:43 PH 12/11/2003
SRV 030794014 - 2273708 FILE

CERTIFICATE OF MERGER
OF
CRYSTAL DECISIONS, INC.
INTO
BUSINESS ORIECTS AMERICAS

Pursuant to Section 251 of the General Corporation Law of the State of Delaware

Business Objects Americas, a Delaware corporation, does hereby certify:

FIRST: The names and states of incorporation of the constituent corporations to this merger are as follows:

Business Objects Americas

Delaware

Crystal Decisions, Inc.

Delaware

SECOND: An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with Section 251 of the General Corporation Law of the State of Delaware.

THIRD: The name of the corporation surviving the merger is Business Objects

Americas (the "Surviving Corporation").

FOURTH: The Certificate of Incorporation of Business Objects Americas shall be amended to read in its entirety as set forth in Exhibit A attached hereto and as amended, shall be the Certificate of Incorporation of the Surviving Corporation.

FIFTH: The executed Agreement and Plan of Merger is on file at an office of the Surviving Corporation, 3030 Orchard Parkway, San Jose, California 95134. A copy will be provided, upon request and without cost, to any stockholder of either constituent corporation.

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08-05 02:49pm 12/11/2003

From-COOLEY GODWARD LLP

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IN WITNESS WHEREOF, Business Objects Americas has caused this Certificate of Merger to be executed in its corporate name this first day of December, 2003.

**BUSINESS OBJECTS AMERICAS** 

Name: Bernard Liantand

Title: Chief Executive Officer

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**PATENT** 

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EXHIBIT A

## CERTIFICATE OF INCORPORATION

OF:

## BUSINESS OBJECTS AMERICAS

- Name. The name of the corporation is Business Objects Americas (bereignfler called the "corporation").
- Registered Office: The address of the corporation's registered office in the State of Delaware is 2711 Centerville Road, Suite 400, Wilmington, Delaware, 19808. The name of its registered agent at such address is The Prentice-Hall Corporation System. Inc., County of New Castle.
- Purpose. The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under the Delaware General Corporation Law.
- Authorized Capital Stock. The total number of shares which the corporation shall have authority to issue is 3,000 shares of no par value Common Stock.
- Director Liability, Indomnification. To the fullest extent permitted by the Delaware General Corporation Law as the same exists or as may hereafter be amended, a director of the corporation shall not be personally liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

The corporation shall indemnify to the fullest extent permitted by law any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he or she, his or her testator or intestate is or was a director, officer or employee of the corporation or any predecessor of the corporation or serves or served at any other enterprise as a director, officer or employee at the request of the corporation or any predecessor to the corporation.

Neither any amendment nor repeal of this Article 5, nor the adoption of any provision of this corporation's Certificate of Incorporation inconsistent with this Article 5, shall eliminate or reduce the effect of this Article 5 in respect of any matter occurring, or any action or proceeding accruing or arising or that, but for this Article 5. would accrue or arise, prior to such amendment, repeal or adoption of an inconsistent provision.

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**PATENT** 

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Mar-08-05 02:50pm From-COOLEY GODWARD LLP

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6. <u>Amendment</u>. The corporation reserves the right to amend, after, change or repeal any provision contained in this Certificate of Incorporation in the manner now or hereinafter prescribed by law, and all rights and powers conferred herein on stockholders, directors and officers are subject to this reserved power.

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